

NO. 07-02-0198-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL C  
SEPTEMBER 11, 2002

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ROBERT BRITTON, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

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FROM THE 137<sup>TH</sup> DISTRICT COURT OF LUBBOCK COUNTY;  
NO. 2002-438951; HONORABLE CECIL PURYEAR, JUDGE

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Before QUINN and REAVIS and JOHNSON, JJ.

On August 12 and August 27, 2002, appellant Robert Britton corresponded with the Court indicating that he no longer wishes to prosecute his appeal. In a letter dated September 5, 2002, appellant's attorney concurred with appellant's notice to dismiss the appeal.

Without passing on the merits of the case, appellant's motion for voluntary dismissal is granted and the appeal is hereby dismissed. Tex. R. App. P. 42.2. Having dismissed

the appeal at appellant's personal request, no motion for rehearing will be entertained and our mandate will issue forthwith.

Phil Johnson  
Justice

Do not publish.