

NO. 07-02-0266-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL A  
AUGUST 8, 2002

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MICHAEL MOOMAW, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

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FROM THE 320<sup>TH</sup> DISTRICT COURT OF POTTER COUNTY;  
NO. 32349-D; HONORABLE DON EMERSON, JUDGE

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Before BOYD, C.J., and REAVIS and JOHNSON, JJ.

Appellant Michael Moomaw filed a Motion to Dismiss Appeal on August 2, 2002, averring that he no longer wishes to prosecute his appeal. The Motion to Dismiss is signed by both appellant and his attorney.

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Do not publish.