

NO. 07-03-0367-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL B  
FEBRUARY 23, 2004

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E. A. BIRDWELL, APPELLANT

V.

STEVE COLE, RONNIE GRIFFITH, DARREN HODGSON,  
MIKE HUELSTER, MARK JONES, MIKE KOETTING, LARRY LAMBERSON,  
STEVE RAE, JAMES F. REID, DAVID RICHEY, JIMMY WOSSUM,  
LONNY WATSON AND TERRY WIDNER, APPELLEES

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FROM THE COUNTY COURT AT LAW NO. 2 OF POTTER COUNTY;

NO. 88,578-2; HONORABLE PAMELA C. SIRMON, JUDGE

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Before JOHNSON, C.J., and QUINN and CAMPBELL, JJ.

**MEMORANDUM OPINION**

Appellant E. A. Birdwell filed an agreed Motion for Dismissal on February 17, 2004. No decision of this Court having been delivered to date, we grant the motion. Accordingly, the appeal is dismissed. No motion for rehearing will be entertained and our mandate will

issue forthwith. Tex. R. App. P. 42.1. All costs herein having been paid, no order pertaining to costs is made.

James T. Campbell  
Justice