

NO. 07-04-0454-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
DECEMBER 3, 2004

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ERVIN DWAIN MASON, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

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FROM THE 320TH DISTRICT COURT OF POTTER COUNTY;  
NO. 40,692-D; HONORABLE DON EMERSON, JUDGE

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Before QUINN and REAVIS and CAMPBELL, JJ.

**MEMORANDUM OPINION**

Pending before this Court is Ervin Dwain Mason's motion to dismiss his appeal by which he represents he wishes to withdraw his notice of appeal. The motion is personally signed by appellant as required by Rule 42.2(a) of the Texas Rules of Appellate Procedure.

No decision of this Court having been delivered to date, the motion is granted. No motion for rehearing will be entertained and our mandate will issue forthwith.

Accordingly, the appeal is dismissed.

Don H. Reavis  
Justice

Do not publish.