NO. 07-05-0143-CR

IN THE COURT OF APPEALS

FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL C

JULY 12, 2005

PATRICK KAMEL MCCULLOUGH, APPELLANT

٧.

THE STATE OF TEXAS, APPELLEE

FROM THE 183RD DISTRICT COURT OF HARRIS COUNTY;

NO. 986195; HONORABLE JOAN HUFFMAN, JUDGE

Before QUINN, C.J., and REAVIS and HANCOCK, JJ.

MEMORANDUM OPINION

Pending before this Court is appellant's motion to dismiss his appeal. Appellant and his attorney both have signed the document stating that appellant withdraws his appeal. Tex. R. App. P. 42.2(a). 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.

Mackey K. Hancock Justice

Do not publish.