

NO. 07-07-0254-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
FEBRUARY 11, 2008

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MARSHALL MCGALLIARD, JR., APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

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FROM THE 39<sup>TH</sup> DISTRICT COURT OF KENT COUNTY;

NO. 806; HONORABLE SHANE HADAWAY, JUDGE

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

**ON MOTION TO DISMISS**

Pending before the Court is appellant's motion to dismiss his appeal. Appellant and his attorney both have signed the motion. 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.

James T. Campbell  
Justice

Do not publish.