

NO. 07-07-0500-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
JULY 7, 2008

MILES B. HORTON,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE COUNTY COURT AT LAW NO. 2 OF LUBBOCK COUNTY;
NO. 2007-443,823; HON. DRUE FARMER, PRESIDING

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

Appellant, by and through his attorney, has filed a motion to dismiss. Without passing on the merits of the case, we grant the motion pursuant to Texas Rule of Appellate Procedure 42.1(a)(1)(2) and dismiss the appeal. Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Do not publish.

Brian Quinn
Chief Justice