NO. 07-08-0280-CR

IN THE COURT OF APPEALS

FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL A

OCTOBER 21, 2008

LESLIE FOY ACKER, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

FROM THE 110TH DISTRICT COURT OF BRISCOE COUNTY;

NO. 1098; HONORABLE WILLIAM P. SMITH, JUDGE

Before CAMPBELL and HANCOCK and PIRTLE, JJ.

MEMORANDUM OPINION

Pending before this Court is Leslie Foy Acker's *Motion to Dismiss Appeal* in which he represents he no longer wishes to pursue this appeal. As required by Rule 42.2(a) of the Texas Rules of Appellate Procedure, the motion is signed by Appellant and his attorney. No decision of this Court having been delivered, the motion is granted and the

appeal is dismissed. No motion for rehearing will be entertained and our mandate will issue forthwith.

Accordingly, the appeal is dismissed.

Patrick A. Pirtle
Justice

Do not publish.