

NO. 07-08-0349-CV

IN THE COURT OF APPEALS

FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL D

NOVEMBER 20, 2008

IN THE INTEREST OF S.M.D., N.F.D., AND I.F.D., CHILDREN

FROM THE COUNTY COURT AT LAW NO. 2 OF POTTER COUNTY;

NO. 70,274-2; HON. PAMELA COOK SIRMON, PRESIDING

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

ON MOTION TO DISMISS

Pending before the Court is a motion, signed by counsel for appellants Corina Delgado and Federico Delgado, Jr., indicating both appellants desire to withdraw their notice of appeal and dismiss the appeal pursuant to Rule 42.1 of the Texas Rules of Appellate Procedure. No decision of this Court having been delivered to date in the appeal and finding the motion complies with the requirements of Rule 42.1(a), we dismiss the appeal. Further, the Court will tax costs against appellants. Tex. R. App. P. 42.1(d).

Having disposed of this appeal at the appellants' request, we will not entertain a motion for rehearing and our mandate shall issue forthwith.

James T. Campbell
Justice