

NO. 07-08-0470-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
MARCH 13, 2009

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BRITTEN CHEYNE, APPELLANT

V.

TONYA MCWILLIAMS, APPELLEE

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FROM THE COUNTY COURT AT LAW NO. 1 OF POTTER COUNTY;  
NO. 93,790-1; HONORABLE W. F. "CORKY" ROBERTS, JUDGE

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

**ON MOTION TO DISMISS**

Pending before the Court is a motion of appellant Britten Cheyne, indicating appellant desires to 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 grant the motion. The appeal is dismissed.

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

James T. Campbell  
Justice