

NO. 07-10-0165-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
SEPTEMBER 24, 2010

DAVID HERNANDEZ,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 46th DISTRICT COURT OF WILBARGER COUNTY;
NO. 10,179; HON. STUART MESSER, PRESIDING

On Motion to Dismiss

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

Appellant David Hernandez, by and through his attorney, has filed a motion to dismiss his appeal because he no longer desires to prosecute it. Without passing on the merits of the case, we grant the motion to dismiss pursuant to Texas Rule of Appellate Procedure 42.2(a) 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Do not publish.

Per Curiam