



**In The  
Court of Appeals  
Seventh District of Texas at Amarillo**

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No. 07-20-00294-CV

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**HEATH BRYN PAYNE, APPELLANT**

**V.**

**STATE OF TEXAS FOR THE PROTECTION OF MELISSA WATTS, APPELLEE**

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On Appeal from the 433rd District Court  
Comal County, Texas  
Trial Court No. C2020-1335D, Honorable Charles A. Stephens II, Presiding

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January 8, 2021

**MEMORANDUM OPINION**

Before **PIRTLE** and **PARKER** and **DOSS, JJ.**

Appellant, Heath Bryn Payne, appeals from the trial court's *Family Violence Protective Order*.<sup>1</sup> Now pending before this Court is Payne's motion seeking voluntary dismissal of his appeal. The Court finds the motion complies with the requirements of Rule of Appellate Procedure 42.1(a)(1) and that granting the motion will not prevent any

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<sup>1</sup> Originally appealed to the Third Court of Appeals, this appeal was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. See TEX. GOV'T CODE ANN. § 73.001 (West 2013).

party from seeking relief to which it would otherwise be entitled. As no decision of the Court has been delivered to date, we grant the motion. The appeal is dismissed. Because the motion does not address costs, costs will be taxed against Payne. TEX. R. APP. P. 42.1(d). No motion for rehearing will be entertained and our mandate will issue forthwith.

Per Curiam