



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-09-00223-CR

THE STATE OF TEXAS, Appellant

V.

CURLEY RAY LOVELY, Appellee

On Appeal from the 71st Judicial District Court
Harrison County, Texas
Trial Court No. 09-0374X

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Chief Justice Morriss

MEMORANDUM OPINION

The State of Texas, appellant, has filed with this Court a motion to dismiss its appeal. *See* TEX. R. APP. P. 42.2(a); *State v. Miles*, 994 S.W.2d 410 (Tex. App.—Waco 1999, no pet.). As authorized by Rule 42.2 of the Texas Rules of Appellate Procedure, we grant the motion. *See* TEX. R. APP. P. 42.2.

Accordingly, we dismiss the appeal.

Josh R. Morriss, III
Chief Justice

Date Submitted: January 19, 2010
Date Decided: January 20, 2010

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