

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-09-00315-CV**

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**Carlos Banks, Appellant**

**v.**

**Texas Department of Family and Protective Services, Appellee**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 419TH JUDICIAL DISTRICT  
NO. D-1-FM-07-006157, HONORABLE SCOTT H. JENKINS, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant Carlos Banks has filed an unopposed motion requesting this Court to dismiss the instant appeal and issue mandate immediately upon dismissal. We grant the motion and dismiss the appeal. Tex. R. App. P. 42.1(a). We further instruct the clerk of this Court to issue the mandate upon dismissal of the appeal.

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Jan P. Patterson, Justice

Before Justices Patterson, Puryear and Pemberton

Dismissed on Appellant's Motion

Filed: September 11, 2009