IN THE SUPREME COURT OF TEXAS

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NO. 99-0672
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TEXAS DEPARTMENT OF PUBLIC SAFETY, PETITIONER

v.

MICHELLE RENE WHITEFIELD, RESPONDENT

4444444444444444444444444444444444444444444444444444
ON PETITION FOR REVIEW FROM THE
COURT OF APPEALS FOR THE TENTH DISTRICT OF TEXAS
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Per Curiam

Relying on its opinion in *Texas Department of Public Safety v. Barlow*, 992 S.W.2d 732 (Tex. App.—Waco 1999), *rev'd*, __ S.W.3d __ (Tex. 2001), the court of appeals dismissed this appeal for want of jurisdiction. 993 S.W.2d 886. Because of our recent decision reversing *Barlow*, without hearing oral argument, we grant the petition for review without reference to the merits, vacate the court of appeals' judgment dismissing this appeal, and remand this case to that court for further proceedings. *See* TEX. R. APP. P. 59.1, 60.2(f).

OPINION DELIVERED: June 21, 2001.