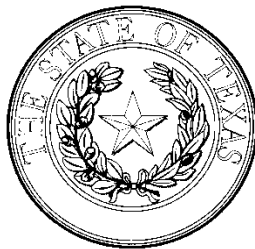


Opinion issued September 6, 2012



In The
Court of Appeals
For The
First District of Texas

NO. 01-10-01131-CV

HUNG TAN PHAN, Appellant

V.

TAN MINH CAO AND THUY DINH TRUONG, Appellees

**On Appeal from the 125th District Court
Harris County, Texas
Trial Court Case No. 2010-07135**

MEMORANDUM OPINION

Appellant has notified this Court that “The appeal docketed in Cause Number 01-10-01131-CV is unnecessary.... Therefore, the appeal docketed under Cause No. 01-10-01131-CV may be dismissed.” We interpret appellant’s

statement as a motion to dismiss the appeal. No opinion has issued. Accordingly, we grant the motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1).

We direct the Clerk to issue the mandate within 10 days of the date of this opinion. *See* TEX. R. APP. P. 18.1.

PER CURIAM

Panel consists of Justices Higley, Sharp, and Huddle.