

Opinion issued October 11, 2012



In The
Court of Appeals
For The
First District of Texas

NO. 01-12-00792-CV

PAUL CHANG, Appellant

V.

NATALIE NOVELL WASHINGTON, Appellee

**On Appeal from the 328th District Court
Fort Bend County, Texas
Trial Court Cause No. 09DCV168859**

MEMORANDUM OPINION

Appellant has filed a motion to dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1). The motion contains a certificate of conference, but the certificate of conference merely indicates that appellee has been informed that appellant is

moving to dismiss this appeal, and does not indicate whether appellee is opposed or unopposed. *See* TEX. R. APP. P. 10.1(a). Ten days have passed, however, and appellee has not filed a response in opposition. *See* TEX. R. APP. P. 10.1(b) (providing that court may determine motion before response is filed), 10.3(a) (providing, in pertinent part, that court should not hear or determine motion until 10 days after motion was filed, unless motion states that parties have conferred and that no party opposes motion). No opinion has issued. *See* TEX. R. APP. P. 42.1(a)(1).

Accordingly, we grant the motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1). We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Massengale, and Brown.