

Dismissed and Memorandum Opinion filed May 27, 2010.



In The

Fourteenth Court of Appeals

NO. 14-09-00964-CV

DIAMOND BEACH VP, LP, Appellant

V.

JOE ROTHCHILD, Appellee

**On Appeal from the 129th District Court
Harris County, Texas
Trial Court Cause No. 2009-10620**

MEMORANDUM OPINION

This is an appeal from a final summary judgment signed October 15, 2009. On May 19, 2010, appellant filed a motion to dismiss the appeal. *See* Tex. R. App. P. 42.1. The motion is granted.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Yates and Boyce.