

*Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio*



MEMORANDUM OPINION

No. 04-08-00262-CV

MASS MARKETING, LTD. d/b/a Super S Foods,
Appellant

v.

Stephen **FREY**,
Appellee

From the 45th Judicial District Court, Bexar County, Texas
Trial Court No. 2004-CI-14019
Honorable Barbara Hanson Nellermeoe, Judge Presiding

PER CURIAM

Sitting: Alma L. López, Chief Justice
Catherine Stone, Justice
Steven C. Hilbig, Justice

Delivered and Filed: September 17, 2008

MOTION TO DISMISS GRANTED; DISMISSED

Appellant filed a motion to dismiss this appeal. We grant the motion. *See* TEX. R. APP. P. 42.1(a)(1). We order all costs assessed against appellant. *See* TEX. R. APP. P. 42.1(d) (absent agreement of the parties, costs are taxed against appellant).

PER CURIAM