

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



MEMORANDUM OPINION

No. 04-10-00349-CV

BETTER-BUILT ENTERPRISES, INC.,
Appellant

v.

RAST IRON WORKS COMPANY, INC., First National Bank Group, Inc., and Quincy Joist
Company, Inc.,
Appellees

From the 408th Judicial District Court, Bexar County, Texas
Trial Court No. 2008-CI-20507
Honorable Larry Noll, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Steven C. Hilbig, Justice
Marialyn Barnard, Justice

Delivered and Filed: September 29, 2010

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). Because the motion does not disclose an agreement of the parties regarding the assessment of costs, 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