

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-09-00292-CV

FIA CARD SERVICES N.A. F/K/A MBNA AMERICA BANK, N.A., Appellant

V.

MICHAEL D. GUINN, SR., Appellee

**On Appeal from the 9th District Court
Montgomery County, Texas
Trial Cause No. 08-03-03028-CV**

MEMORANDUM OPINION

The appellant, FIA Card Services N.A. f/k/a MBNA America Bank, N.A., and the appellee, Michael D. Guinn, Sr., filed a joint motion to dismiss this appeal with prejudice. The motion is voluntarily made by the parties prior to any decision of this Court. *See* TEX. R. APP. P. 42.1(a)(2). No other party filed notice of appeal. The motion to dismiss with prejudice is granted and the appeal is dismissed.

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Opinion Delivered April 1, 2010
Before McKeithen, C.J., Gaultney and Horton, JJ.