

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00366-CV

MARTIN MARIETTA MATERIALS, INC., Appellant

V.

**JOSEFINA ARREOZOLA, INDIVIDUALLY AND AS REPRESENTATIVE OF
THE ESTATE OF IGNACIO ARREOZOLA, AND AS NEXT FRIEND OF
CARLA ARREOZOLA, GEORGE ARREOZOLA, AND MAYRA ARREOZOLA,
Appellees**

**On Appeal from the 253rd District Court
Liberty County, Texas
Trial Cause No. CV0901345**

MEMORANDUM OPINION

The appellant, Martin Marietta Materials, Inc., and the appellees, Josefina Arreozola in her individual capacity and as representative of the Estate of Ignacio Arreozola and as next friend of Carla Arreozola, George Arreozola, and Mayra Arreozola, filed a joint motion to dismiss this appeal. 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 is granted and the appeal is dismissed.

Costs are taxed against the appellant.

APPEAL DISMISSED.

CHARLES KREGER
Justice

Opinion Delivered October 6, 2011

Before Gaultney, Kreger, and Horton, JJ.