



COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH

NO. 2-09-283-CV

EUGENE SIMMONS

APPELLANT

V.

JERROLD PRICE

APPELLEE

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FROM COUNTY COURT AT LAW NO. 1 OF TARRANT COUNTY  
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MEMORANDUM OPINION<sup>1</sup> AND JUDGMENT  
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We have considered appellant's and appellee's "Motion To Dismiss." It is the court's opinion that the motion should be granted; therefore, we dismiss the appeal with prejudice. *See* Tex. R. App. P. 42.1(a)(1), 43.2(f).

Costs of the appeal shall be paid by appellant, for which let execution issue. *See* Tex. R. App. P. 42.1(d).

PER CURIAM

PANEL: LIVINGSTON, DAUPHINOT, and GARDNER, JJ.

DELIVERED: December 17, 2009

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<sup>1</sup> [...](#) *See* Tex. R. App. P. 47.4.