



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-16-00385-CV

ELKAY MANUFACTURING
COMPANY, INC.

APPELLANT

V.

GUTTENBERG INDUSTRIES, INC.

APPELLEE

FROM THE 48TH DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NO. 048-287545-16

MEMORANDUM OPINION¹ AND JUDGMENT

We have considered “Appellant’s Unopposed Motion to Dismiss Appeal.” We grant the motion and dismiss the appeal. See Tex. R. App. P. 42.1(a)(1), 43.2(f). Costs of the appeal shall be paid by the party incurring the same, for which let execution issue. See Tex. R. App. P. 42.1(d), 43.4.

PER CURIAM

PANEL: GABRIEL, SUDDERTH, and KERR, JJ.

DELIVERED: May 25, 2017

¹See Tex. R. App. P. 47.4.