

NO. 07-09-0052-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
APRIL 20, 2009

IN THE ESTATE OF MARJORY DYE, DECEASED

FROM THE COUNTY COURT OF LUBBOCK COUNTY;
NO. 2000-782,841; HONORABLE PAULA LANEHART, JUDGE

Before QUINN, C.J., and CAMPBELL and PIRTLE, JJ.

MEMORANDUM OPINION

Pending before this Court is *Appellant Brian Murphy-Dye's Motion to Dismiss Appeal*. By the motion, Murphy-Dye represents that he no longer wishes to pursue this appeal. Without passing on the merits of the case, the motion is granted and the appeal is dismissed. Tex. R. App. P. 42.1(a)(1). Having dismissed the appeal at the request of Murphy-Dye, no motion for rehearing will be entertained and our mandate will issue forthwith.

Our disposition of this appeal renders moot *Appellee's Steve Payton's Opposed Motion to Dismiss*.

Patrick A. Pirtle
Justice