

NO. 07-09-0317-CV

IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL D

NOVEMBER 13, 2009

C. B. AND J. M., LTD., APPELLANTS

V.

COY L. BARTZ, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR
OF THE ESTATE OF ALETA B. DOWELL, DECEASED AND AS TRUSTEE
OF THE ALETA BARTZ DOWELL FAMILY TRUST, APPELLEES

FROM THE 251ST DISTRICT COURT OF RANDALL COUNTY;

NO. 58,654-C; HONORABLE ANA ESTEVEZ, JUDGE

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

MEMORANDUM OPINION

Appellants C.B. and J.M., Ltd. have filed a motion to dismiss the appeal. The court has issued no opinion. Therefore, the motion is granted, and the appeal is dismissed. Tex. R. App. P. 42.1(a)(1). The motion does not indicate an agreement of the parties regarding the distribution of costs of the appeal. Costs of the appeal are therefore taxed against appellants. Tex. R. App. P. 42.1(d). No motion for rehearing will be entertained and our mandate will issue forthwith.

James T. Campbell
Justice