



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-09-00021-CV

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, Appellant

V.

JAMES BURGE, Appellee

On Appeal from the Fifth Judicial District Court
Cass County, Texas
Trial Court No. 08-C-317

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Chief Justice Morriss

MEMORANDUM OPINION

State Farm Insurance,¹ the sole appellant in this case, has filed a motion seeking to dismiss its appeal. Pursuant to Rule 42.1 of the Texas Rules of Appellate Procedure, we grant its motion.

See TEX. R. APP. P. 42.1.

We dismiss the appeal.

Josh R. Morriss, III
Chief Justice

Date Submitted: June 3, 2009
Date Decided: June 4, 2009

¹In most of the pleadings, including the order of dismissal, the appellant is referred to as "State Farm Insurance." In its notice of appeal, the appellant is referred to as "State Farm Mutual Automobile Insurance Company," and in its motion to dismiss, the appellant is referred to as "State Farm Automobile Insurance Company." We refer to the appellant as "State Farm Insurance" in this opinion.