

NO. 12-06-00281-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*WRIGHT BROTHERS SPECIALTY §
SAND, W.B.S.S., L.P., WRIGHT BROTHER
SPECIALTY SANDS, L.L.C., MARK
WRIGHT AND SCOTT WRIGHT,
APPELLANTS/CROSS-APPELLEES*

APPEAL FROM THE 7TH

V. §

JUDICIAL DISTRICT COURT

*LEWIS BYERS, HAROLD ESTES,
FORREST WILLIAMS, DICK CAYCE, JR.
AND I-20 SAND, L.L.C.,
APPELLEES/CROSS-APPELLANTS §*

SMITH COUNTY, TEXAS

*MEMORANDUM OPINION
PER CURIAM*

Appellants/Cross-Appellees, Wright Brothers Specialty Sand, W.B.S.S., L.P., Wright Brother Specialty Sand, L.L.C., Mark Wright, and Scott Wright, and Appellees/Cross-Appellants, Lewis Byers, Harold Estes, Forrest Williams, Dick Cayce, Jr., and I-20 Sand, L.L.C., filed a joint motion to reinstate this appeal and then dismiss it. We previously abated the appeal as a result of Appellants/Cross-Appellees' filing notice of bankruptcy. Appellants/Cross-Appellees have provided this court documentation that the resolution of the bankruptcy matters is such that this appeal can be reinstated. They have also informed the court that they no longer wish to pursue the appeal. Accordingly, the appeal is reinstated on the docket of this court, and the motion to dismiss is **granted**. See TEX. R. APP. P. 42.1(b). The costs of this appeal are taxed against the party incurring them.

Opinion delivered May 25, 2011.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)