

NO. 12-08-00178-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*IN RE: CHARLES S. HEFLIN AND
FIDELITY FACTORS, LLC,
RELATORS*

§

§ *ORIGINAL PROCEEDING*

§

*MEMORANDUM OPINION
PER CURIAM*

The relators have filed a motion to dismiss this original mandamus proceeding with prejudice. In their motion, the relators state that the parties have compromised and settled the underlying cause of action and have filed a motion for nonsuit in the trial court. Therefore, the relators further allege, they no longer wish to pursue this original proceeding and the real parties in interest have agreed to the motion. Because the relators have met the requirements of Texas Rule of Appellate Procedure 42.1(a)(1), the motion is granted, and the original proceeding is dismissed with prejudice.

Opinion delivered June 25, 2008.

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

(PUBLISH)