

NO. 12-09-00182-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***JIMMY BROWN HUMPHRIES,
INDIVIDUALLY AND AS EXECUTOR
OF THE ESTATE OF MAMIE RUTH
HUMPHRIES HENDERSON, DECEASED
APPELLANT***

§ ***APPEAL FROM THE 294TH***

V.

§ ***JUDICIAL DISTRICT COURT OF***

***MARVIN WAYNE HUMPHRIES
AND
TOMMY M. HUMPHRIES,
APPELLEES***

§ ***VAN ZANDT COUNTY, TEXAS***

***MEMORANDUM OPINION
PER CURIAM***

Jimmy Brown Humphries, individually and as executor of the estate of Mamie Ruth Humphries Henderson, deceased, has filed a motion to dismiss this appeal. In his motion, Humphries states that he does not wish to continue this appeal because the judgment he purports to appeal is not a final appealable judgment. Because Humphries has met the requirements of Texas Rule of Appellate Procedure 42.1(a)(1), the motion is granted, and the appeal is dismissed.

Opinion delivered July 15, 2009.

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

(PUBLISH)