

Opinion filed October 19, 2017



In The

Eleventh Court of Appeals

No. 11-17-00283-CV

**LANCE DUNCAN; BHB OPERATING, INC.; AND MARK IV
ENERGY HOLDINGS, LLC, F/K/A MARK III ENERGY
HOLDINGS, LLC, Appellants**

V.

**GERALD B. HINDY; ASSEMBLIES OF GOD FINANCIAL
SERVICES GROUP, D/B/A AG FINANCIAL SOLUTIONS; AND
STEWARD ENERGY FUND, LLC, Appellees**

**On Appeal from the 70th District Court
Ector County, Texas
Trial Court Cause No. A-16-05-0551-CV**

MEMORANDUM OPINION

Appellant BHB Operating, Inc. has filed in this court a motion to dismiss its appeal. In the motion, BHB states that it “no longer desires to prosecute any of its claims against Appellees.” BHB asserts that the dismissal of BHB from this appeal will not prejudice the rights of any other party to this appeal and that Appellees are

not opposed to BHB's motion. Therefore, in accordance with BHB's request, we dismiss the portion of this appeal filed by BHB. *See* TEX. R. APP. P. 42.1(a)(1).

The motion to dismiss is granted, and this appeal is dismissed in part. The appeal remains active as to Appellants Lance Duncan and Mark IV Energy Holdings, LLC, f/k/a Mark III Energy Holdings, LLC.

PER CURIAM

October 19, 2017

Panel consists of: Wright, C.J.,
Willson, J., and Bailey, J.