

**DISMISS; and Opinion Filed June 10, 2013.**



**In The  
Court of Appeals  
Fifth District of Texas at Dallas**

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**No. 05-12-00599-CV**

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**ROLAND VON KURNATOWSKI, ET AL., Appellants  
V.  
CITY OF COMMERCE, TEXAS, ET AL., Appellees**

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**On Appeal from the 196th District Court  
Hunt County, Texas  
Trial Court Cause No. 76,781**

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**MEMORANDUM OPINION  
Before Justices Moseley, Bridges, and Lang-Miers**

On its own motion, the Court **REINSTATES** this case. The Court has before it appellants' May 24, 2013 motion to dismiss appeal. We **GRANT** the motion and **DISMISS** the appeal. *See* TEX. R. APP. P. 42.1(a)(1).

**PER CURIAM**

120599F.P05



**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

ROLAND VON KURNATOWSKI, ET AL.,  
Appellants

No. 05-12-00599-CV      V.

CITY OF COMMERCE, TEXAS, ET AL.,  
Appellees

On Appeal from the 196th District Court,  
Hunt County, Texas

Trial Court Cause No. 76,781.

Opinion delivered per curiam. Justices  
Moseley, Bridges and Lang-Miers sitting for  
the Court.

In accordance with this Court's opinion of this date, this appeal is **DISMISSED**.

It is **ORDERED** that appellees CITY OF COMMERCE, TEXAS, ET AL. recover their costs of this appeal from appellants ROLAND VON KURNATOWSKI, ET AL., unless the parties' agreement provides otherwise.

Judgment entered this 10<sup>th</sup> day of June, 2013.

/Elizabeth Lang-Miers/

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ELIZABETH LANG-MIERS

JUSTICE