

DISMISS; and Opinion Filed May 28, 2013.



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

No. 05-12-00834-CV

WON CHANG AND WONALEX CORPORATION D/B/A ONE ENERGY, Appellants

V.

ENERGIA CONSULTANTS, INC. AND RUBEN ALMAZAN, Appellees

**On Appeal from the 298th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-12-04394**

MEMORANDUM OPINION

**Before Justices Francis, Murphy, and Evans
Opinion by Justice Murphy**

This case was submitted on April 1, 2013. That same day, the Court received correspondence from appellees' counsel that the parties were in the process of finalizing settlement papers. Three days later, the parties notified the Court that they had, in fact, reached a settlement. The parties were directed to file a proper motion to dismiss the appeal. *See* TEX. R. APP. P. 42.1(a). On April 24, 2013, the Court contacted the parties regarding the status of the appeal and was informed that counsel for appellants was waiting for counsel for appellees to return a motion to dismiss with his signature.

The Court did not receive any further communication, and by letter dated May 8, 2013, the Court instructed the parties to notify the Court regarding the status of the settlement and corresponding motion to dismiss within ten days. We cautioned that if no response was received, the Court would take whatever action it deems appropriate, including dismissing the appeal. As of today's date, the Court has not received a response. Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(c).

/Mary Murphy/
MARY MURPHY
JUSTICE

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

JUDGMENT

WON CHANG AND WONALEX
CORPORATION D/B/A ONE ENERGY,
Appellants

No. 05-12-00834-CV V.

ENERGIA CONSULTANTS, INC. AND
RUBEN ALMAZAN, Appellees

On Appeal from the 298th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DC-12-04394.
Opinion delivered by Justice Murphy.
Justices Francis and Evans participating.

Based on the Court's opinion of this date, we **DISMISS** the appeal. We **ORDER** that each party bears its own costs of the appeal.

Judgment entered this 28th day of May, 2013.

/Mary Murphy/

MARY MURPHY
JUSTICE