

DISMISS; Opinion issued January 8, 2013



In The  
Court of Appeals  
Fifth District of Texas at Dallas

---

No. 05-12-01299-CV

---

KLEINFELDER CENTRAL, INC. D/B/A KLEINFELDER, Appellant

V.

MITCHELL ENTERPRISES, LTD., Appellee

---

---

On Appeal from the 429th Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 429-00785-2009

---

---

**MEMORANDUM OPINION**

Before Chief Justice Wright and Justices Francis and Lang-Miers

The Court has before it appellant's motion to dismiss appeal. *See* TEX. R. APP. P. 42.1(a).

We **GRANT** the motion and **DISMISS** the appeal.

PER CURIAM

121299F.P05



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

**JUDGMENT**

KLEINFELDER CENTRAL, INC. D/B/A  
KLEINFELDER, Appellant

No. 05-12-01299-CV            V.

MITCHELL ENTERPRISES, LTD.,  
Appellee

Appeal from the 429th Judicial District  
Court of Collin County, Texas. (Tr.Ct.No.  
429-00785-2009).

Opinion delivered per curiam before Chief  
Justice Wright and Justices Francis and  
Lang-Miers.

Based on the Court's opinion of this date, this appeal is **DISMISSED**. The parties are **ORDERED** to bear their own costs of this appeal.

Judgment entered January 8, 2013.

  
\_\_\_\_\_  
CAROLYN WRIGHT  
CHIEF JUSTICE