

DISMISS; and Opinion Filed April 2, 2013.



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

No. 05-13-00229-CV

**DEL BUILDERS, INC., Appellant
V.
BARRY AND JANET CALDWELL, Appellees**

**On Appeal from the 86th District Court
Kaufman County, Texas
Trial Court Cause No. 68127-86**

MEMORANDUM OPINION

**Before Justices Lang-Miers, Murphy, and Fillmore
Opinion by Justice Fillmore**

The Court has before it appellants' March 21, 2013 motion to dismiss appeal, which is unopposed. We **GRANT** the motion and **DISMISS** the appeal. *See* TEX. R. APP. P. 42.1(a)(1).

PER CURIAM

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

JUDGMENT

DEL BUILDERS, INC., Appellant

No. 05-13-00229-CV V.

BARRY AND JANET CALDWELL,
Appellees

On Appeal from the 86th District Court,
Kaufman County, Texas

Trial Court Cause No. 68127-86.

Opinion delivered per curiam. Justices Lang-
Miers, Murphy and Fillmore sitting for the
Court.

In accordance with this Court's opinion of this date, this appeal is **DISMISSED**. Costs are assessed against the party incurring same.

Judgment entered this 2nd day of April, 2013.

/Robert M. Fillmore/

ROBERT M. FILLMORE
JUSTICE