

DISMISS and Opinion Filed November 12, 2013.



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

No. 05-13-00676-CV

ERIC DRAKE, Appellant

V.

WENDEL WITHROW, YU-LAN MARTIN, AND ASM, Appellees

**On Appeal from the 191st Judicial District Court
Dallas County, Texas
Trial Court Cause No. 12-03942**

MEMORANDUM OPINION

Before Justices Evans, Lewis, and Brown
Opinion by Justice Evans

Before the Court is appellant's motion to withdraw the appeal. Appellant has informed the Court that he no longer wishes to pursue the appeal. Accordingly, we grant appellant's motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1).

/David Evans/

DAVID EVANS
JUSTICE

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

JUDGMENT

ERIC DRAKE, Appellant

No. 05-13-00676-CV V.

WENDEL WITHROW, YU-LAN
MARTIN, AND ASM, Appellees

On Appeal from the 191st Judicial District
Court, Dallas County, Texas.

Trial Court Cause No. 12-03942.

Opinion delivered by Justice Evans.

Justices Lewis and Brown, participating.

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

It is **ORDERED** that appellees, WENDEL WITHROW, YU-LAN MARTIN, AND ASM, recover their costs of this appeal from appellant, ERIC DRAKE.

Judgment entered this 12th day of November, 2013.

/David Evans/

DAVID EVANS
JUSTICE