

Dismiss and Opinion Filed September 23, 2022



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

No. 05-22-00279-CV

**LUXOTTICA OF AMERICA INC. F/K/A LUXOTTICA RETAIL NORTH
AMERICA INC. AND EYEMED VISION CARE, LLC, Appellants**

V.

JEFFREY GRAY, DAWN GRAY, AND BRAVE OPTICAL, INC., Appellees

**On Appeal from the 101st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-17-07929**

MEMORANDUM OPINION

Before Justices Schenck, Osborne, and Nowell
Opinion by Justice Osborne

On September 19, 2022, appellants Luxottica of America Inc. f/k/a Luxottica Retail North America Inc. and Eyemed Vision Care, LLC filed a Motion for Voluntary Dismissal of Appeal, advising the Court that they do not desire to proceed with the appeal and that they seek no relief against the appellees. Further, appellees Jeffrey Gray, Dawn Gray, and Brave Optical, Inc. have not noticed a cross-appeal or sought relief to which they would otherwise be entitled. *See* TEX. R. APP. P. 42.1(a).

Accordingly, we grant the motion and dismiss the appeal. *See id.*

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/Leslie Osborne//

LESLIE OSBORNE
JUSTICE



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

JUDGMENT

LUXOTTICA OF AMERICA INC.
F/K/A LUXOTTICA RETAIL
NORTH AMERICA INC. AND
EYEMED VISION CARE, LLC,
Appellants

No. 05-22-00279-CV V.

JEFFREY GRAY, DAWN GRAY,
AND BRAVE OPTICAL, INC.,
Appellees

On Appeal from the 101st Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-17-07929.
Opinion delivered by Justice
Osborne. Justices Schenck and
Nowell participating.

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

It is **ORDERED** that appellees Jeffrey Gray, Dawn Gray, and Brave Optical, Inc. recover their costs of this appeal from appellants Luxottica of America Inc. f/k/a Luxottica Retail North America Inc. and Eyemed Vision Care, LLC.

Judgment entered this 23rd day of September, 2022.