

Opinion issued September 10, 2009



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-09-00449-CV

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**HOWARD J. STERN, SUCCESSOR TRUSTEE OF THE TERESA E.  
KRAFT 1998 INVESTMENT TRUST, Appellant**

**V.**

**MISHEL, NFN, Appellee**

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**On Appeal from the 113th District Court  
Harris County, Texas  
Trial Court Cause No. 2008-58738**

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**MEMORANDUM OPINION**

Appellant filed a motion to dismiss its appeal on July 24, 2009. More than 10 days have elapsed, and no objection has been filed. No opinion has issued.

Accordingly, the motion is granted, and the appeal is **dismissed**. TEX. R. APP. P. 42.1(a)(1).

All other pending motions in this appeal are overruled as moot. The Clerk is directed to issue mandate within 10 days of the date of this opinion. TEX. R. APP. P. 18.1.

**PER CURIAM**

Panel consists of Justices Keyes, Alcala, and Hanks.