

Opinion issued September 29, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-09-00943-CV

MARK S. BURKE, Appellant
V.
BARBARA E. BURKE, Appellee

**On Appeal from the 328th District Court
Fort Bend County, Texas
Trial Court Case No. 09DCV173399**

MEMORANDUM OPINION

Appellant has filed a motion to dismiss this appeal. No opinion has issued. Accordingly, we grant the motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1).

We dismiss all other pending motions as moot. We direct the Clerk to issue the mandate within 10 days of the date of this opinion. *See* TEX. R. APP. P. 18.1.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Brown and Huddle.