

Opinion issued April 7, 2011



In The
Court of Appeals
For The
First District of Texas

NO. 01-10-00236-CV

THE LEVIATHAN ENTERPRISES GROUP, INC., Appellant
V.
TRED HOLDINGS, L.P., Appellee

On Appeal from the 149th District Court
Brazoria County, Texas
Trial Court Case No. 42625

MEMORANDUM OPINION

Appellant The Leviathan Enterprises Group, Inc. filed a notice of appeal but failed to pay the filing fee, file a docketing statement, or file an appellant's brief. Appellant and appellee subsequently filed a joint motion to dismiss and for entry of

judgment on their settlement. Because the appellate fee and other required filings have not been timely filed, we dismiss this appeal pursuant to Rule 42.3(c). TEX. R. APP. P. 42.3(c).

We overrule the parties' joint motion to dismiss as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Alcala and Bland.