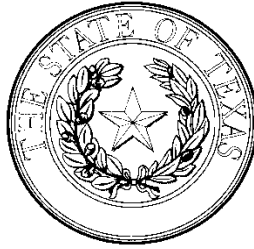


Opinion issued December 6, 2012



In The
Court of Appeals
For The
First District of Texas

NO. 01-12-00950-CV

BEN E. KEITH COMPANY, Appellant
V.
LAWRENCE RENE MONTOYA, Appellee

On Appeal from the 55th District Court
Harris County, Texas
Trial Court Cause No. 2010-19831

MEMORANDUM OPINION

Appellant has filed an unopposed amended motion to dismiss the 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.

PER CURIAM

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