

Opinion issued December 4, 2014



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

NO. 01-14-00741-CV

METROPOLITAN TRANSIT AUTHORITY, Appellant

V.

ALLISON MCKENZIE, Appellee

**On Appeal from the 157th Judicial District Court
Harris County, Texas
Trial Court Cause No. 2012-13289**

MEMORANDUM OPINION

Appellant, Metropolitan Transit Authority, has filed a motion to dismiss its appeal with prejudice because it has settled the case and requests that all costs be assessed against the party incurring the same. Although there is no certificate of conference, this motion has been on file with the Court for more than 10 days and

no party has responded to the motion. *See* TEX. R. APP. P. 10.1(a)(5), 10.3(a)(2). No other party has filed a notice of appeal and no opinion has issued. *See* TEX. R. APP. P. 42.1(a)(1), (c).

Accordingly, we grant the motion and dismiss the appeal, with costs to be taxed against the party who incurred the same. *See* TEX. R. APP. P. 42.1(a)(1), (d), 43.2(f). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Higley, and Brown.