

Opinion issued September 15, 2015



In The
Court of Appeals
For The
First District of Texas

NO. 01-15-00437-CV

SABER CONSTRUCTION, INC., Appellant
V.
HECTOR'S STEEL CO., Appellee

On Appeal from the 133rd District Court
Harris County, Texas
Trial Court Cause No. 2014-57804

MEMORANDUM OPINION

Appellant, Saber Construction, Inc., has filed a motion to dismiss its appeal, stating that the parties have settled. *See* TEX. R. APP. P. 42.1(a)(1). Although the motion does not contain a certificate of conference, the motion contains a certificate of service on the appellee and more than ten days have passed with no

response filed. *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. *See* TEX. R. APP. P. 42.1(a)(1), 43.2(f). We dismiss any other pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Massengale, and Lloyd.