

Opinion issued August 18, 2016



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

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NO. 01-16-00508-CV

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**ROUSSEAU METAL, INC., Appellant**  
**V.**  
**MARKET PENETRATION, L.P., Appellee**

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**On Appeal from the 189th District Court**  
**Harris County, Texas**  
**Trial Court Cause No. 2015-61615**

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**MEMORANDUM OPINION**

Appellant, Rousseau Metal, Inc., has filed an unopposed motion to dismiss its appeal after settling the case, and requests that all costs be assessed against the party incurring the same. *See* TEX. R. APP. P. 10.1(a)(5), 10.3(a)(2), 42.1(a)(1), (d). No other party has filed a notice of appeal and no opinion has issued. *See id.* 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 other pending motions as moot.

**PER CURIAM**

Panel consists of Justices Jennings, Keyes, and Brown.