

Opinion issued December 20, 2016



In The
Court of Appeals
For The
First District of Texas

NO. 01-16-00869-CV

**ROBERT AND DIANA GULLEDGE, INDIVIDUALLY AND IN THEIR
OFFICIAL CAPACITIES, AND THE GULLEDGE FAMILY LIVING
TRUST, Appellants**

V.

WARREN WESTER AND THEODORE SULLIVAN, Appellees

**On Appeal from the 10th District Court
Galveston County, Texas
Trial Court Cause No. 16-CV-1022**

MEMORANDUM OPINION

Appellants, Robert and Diana Gulledge, Individually and in Their Official Capacities, and The Gulledge Family Living Trust, have filed an unopposed motion to dismiss this appeal. Appellants state that they no longer wish to pursue this appeal

and further request 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 Keyes, Higley, and Lloyd.