

Opinion issued December 30, 2021



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00594-CV

EDWARD G. RIZK, Appellant

V.

**J. CARY GRAY, INDIVIDUALLY, AND AS INDEPENDENT EXECUTOR
OF THE ESTATE OF FRED E. RIZK, DECEASED, Appellee**

**On Appeal from the Probate Court No. 1
Harris County, Texas
Trial Court Case No. 408941-403**

MEMORANDUM OPINION

Appellant, Edward G. Rizk, appealed from the trial court's July 23, 2020 orders denying his objections to the purported claims of J. Cary Gray and sustaining objections to appellant's motion for removal. Appellant has filed a motion to dismiss the appeal, representing that he "has settled his claims with

Appellee” and “no longer wishes to prosecute this appeal or the underlying case.” Accordingly, appellant seeks dismissal of the appeal.

No other party has filed a notice of appeal, and no opinion has issued. *See* TEX. R. APP. P. 42.1(a)(1), (c). Although appellant’s motion does not include a certificate of conference, more than ten days have passed, and no party has opposed the relief requested in appellant’s motion. *See* TEX. R. APP. P. 10.3(a)(2).

Accordingly, we grant the motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1), 43.2(f). We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Justices Kelly, Guerra, and Farris.