

Opinion issued March 29, 2022



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

NO. 01-22-00103-CV

WILLARD MARETT, Appellant

V.

ELIZABETH PHILLIPS, Appellee

**On Appeal from the 280th District Court
Harris County, Texas
Trial Court Case No. 2021-66920**

MEMORANDUM OPINION

Appellant, Willard Marett, appealed from the trial court's December 1, 2021 Protective Order and February 2, 2022 order denying his motion for new trial. On March 9, 2022, appellant filed a motion to dismiss his appeal, stating that he "no

longer wishes to pursue his appeal,” and requesting that the Court “dismiss the appeal in whole.”

Appellant’s motion does not include a certificate of conference stating that appellant conferred, or made a reasonable effort to confer with appellee, Elizabeth Phillips, regarding the relief requested in appellant’s motion. *See* TEX. R. APP. P. 10.1(a)(5). However, more than ten days have passed, and no party has expressed opposition to appellant’s motion. *See* TEX. R. APP. P. 10.3(a). 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 appellant’s 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, Goodman, and Guerra.