

Opinion issued July 28, 2022



In The
Court of Appeals
For The
First District of Texas

NO. 01-22-00350-CV

LOIS M. COLLINS, Appellant
V.
EN'CYNK BUILDERS, INC., Appellee

On Appeal from the County Civil Court at Law No. 3
Harris County, Texas
Trial Court Case No. 1151172

MEMORANDUM OPINION

Appellant, Lois M. Collins, appealed from the trial court's January 28, 2022 final judgment. On June 10, 2022, appellant filed a "Motion to Withdraw Appeal," stating that she "no longer wishes to pursue this appeal and for this reason respectfully withdraws her appeal." We construe appellant's motion as a motion to

voluntarily dismiss her appeal. *See* TEX. R. APP. P. 42.1(a)(1) (appellate court may dismiss appeal on motion of appellant).

Appellant's motion does not include a certificate of conference stating that appellant conferred, or made a reasonable effort to confer, with appellee, En'Cynk Builders, Inc., 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 Landau, Guerra, and Farris.