

Motion Granted; Appeal Dismissed and Memorandum Opinion filed November 8, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00487-CV

**DAWN JOHNSON WHATLEY, Individually and as the Executrix of the Estate of
Perry Lee Whatley, and MICHAEL EASTON, Appellants**

V.

MYLUS JAMES WALKER, JR., Appellee

**On Appeal from the Probate Court No. 2
Harris County, Texas
Trial Court Cause No. 355,095**

MEMORANDUM OPINION

This is an appeal from an order signed May 11, 2011, sustaining the contests to appellant Dawn Johnson Whatley's affidavit of indigency. *See* Tex. R. App. P. 20.1. On October 27, 2011, appellants filed an unopposed motion to dismiss the appeal because the case has been settled. *See* Tex. R. App. P. 42.1. The motion is granted.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Anderson and McCally.