

Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-09-00413-CV

Ron **PEGRAM** d/b/a Property Resources,
Appellant

v.

GBL GALAXY BUILDERS, LTD. d/b/a Galaxy Builders, Ltd.,
Appellee

From the County Court at Law No. 5, Bexar County, Texas
Trial Court No. 339415
Honorable Timothy Johnson, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Steven C. Hilbig, Justice
Marialyn Barnard, Justice

Delivered and Filed: November 18, 2009

DISMISSED

Appellee GBL Galaxy Builders, Ltd. filed a notice advising the court the parties have settled the dispute underlying this appeal. Appellee attached a copy of the parties' agreement, which requires appellant, Ron Pegram d/b/a Property Resources to "drop and dismiss the appeal."

On October 30, 2009, we ordered appellant to show cause, no later than November 6, 2009, why the appeal should not be dismissed. *See Bd. of Adjustment v. Wende*, 92 S.W.3d 424, 427 (Tex.

2002) (holding that when parties have settled dispute, there is no longer a live controversy between them, and appeal is moot). Our order advised appellant the appeal would be dismissed if appellant failed to satisfactorily respond within the time provided. *See* TEX. R. APP. P. 42.3(c).

Appellant has not responded to our order. We therefore dismiss this appeal. We order all costs assessed against appellant. *See* TEX. R. APP. P. 42.1(d).

PER CURIAM