

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-05-00161-CV

**EMACHINES, INC., EM HOLDINGS, INC., EMPIRE ACQUISITION
CORPORATION, AND TRIGEM COMPUTER, INC., Appellants**

V.

**DAVID PACKARD, PACKARD, PACKARD & LAPRAY, AND JOHN
HOCK, Appellees**

**On Appeal from the 172nd District Court
Jefferson County, Texas
Trial Cause No. E-165,336 (E-165,336-A)**

MEMORANDUM OPINION

On August 15, 2013, eMachines, Inc., EM Holdings, Inc. and Empire Acquisition Corp., joined by the appellees, David Packard, Packard, Packard & LaPray, and John Hock, filed a motion to dismiss this accelerated appeal. We abated the appeal and remanded the case to the trial court for the purpose of dismissing the cause of action against Trigem Computer, Inc. The trial court dismissed Trigem Computer, Inc. on November 15, 2013. The accelerated appeal is dismissed as moot.

APPEAL DISMISSED.

PER CURIAM

Opinion Delivered December 19, 2013

Before McKeithen, C.J., and Kreger, J.