

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-08-400 CV

**EARTHAE MAE SNEED, Individually and as
Representative of the Estate of Marvin Sneed, Jr., Appellant**

V.

**PERRY LYNN MCCALL and
BFI WASTE SERVICES OF TEXAS, L.P., Appellees**

**On Appeal from the 172nd District Court
Jefferson County, Texas
Trial Cause No. E-178,018-B**

MEMORANDUM OPINION

The appellant, Earthae Mae Sneed, Individually and as Representative of the Estate of Marvin Sneed, Jr., Deceased, filed a motion to dismiss this appeal. The motion is voluntarily made by the appellant prior to any decision of this Court and should be granted. *See* TEX. R. APP. P. 42.1(a)(1). No other party filed notice of appeal. The motion to dismiss is granted and the appeal is dismissed.

APPEAL DISMISSED.

CHARLES KREGER
Justice

Opinion Delivered November 20, 2008

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