

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00395-CV

FIRST INDEMNITY OF AMERICA INSURANCE COMPANY, Appellant

V.

MONTGOMERY COUNTY, TEXAS, Appellee

**On Appeal from the 9th District Court
Montgomery County, Texas
Trial Cause No. 07-09-08946 CV**

MEMORANDUM OPINION

The appellant, First Indemnity of America Insurance Company, filed a motion to dismiss this appeal. The motion is voluntarily made by the appellant prior to any decision of this Court. *See* Tex. R. App. P. 42.1(a)(1). No other party filed notice of appeal. We grant the motion and dismiss the appeal.

APPEAL DISMISSED.

CHARLES KREGER
Justice

Opinion Delivered March 10, 2011

Before Gaultney, Kreger, and Horton, JJ.