

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-14-00558-CV

DALE CHENEY, Appellant

V.

**GULF COAST MACHINE & SUPPLY COMPANY AND PROSPECT
CAPITAL CORPORATION, Appellees**

**On Appeal from the 60th District Court
Jefferson County, Texas
Trial Cause No. B-195691**

MEMORANDUM OPINION

The appellant, Dale Cheney, filed a motion to dismiss this accelerated appeal without prejudice. 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 a notice of appeal. We grant the motion and dismiss the appeal without reference to the merits.

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Submitted on February 4, 2015
Opinion Delivered February 5, 2015

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