

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-23-00277-CV

FOSTER TIMBER, LTD., Appellant

V.

TYLER EPSTEIN, TRUSTEE OF THE ELMWOOD REVOCABLE TRUST,
Appellee

On Appeal from the 411th District Court
Polk County, Texas
Trial Cause No. CIV21-0338

MEMORANDUM OPINION

Foster Timber, Ltd., Appellant, filed a motion to dismiss this appeal. *See* Tex. R. App. P. 42.1(a)(1). The Appellant filed the motion before the appellate court issued a decision in the appeal. We grant the motion and dismiss the appeal. *See* Tex. R. App. P. 43.2(f).

APPEAL DISMISSED.

PER CURIAM

Submitted on October 25, 2023
Opinion Delivered October 26, 2023
Before Golemon, C.J., Horton and Johnson, JJ.