



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-11-00116-CV

CODY SMITH

APPELLANT

V.

PSS WORLD MEDICAL, INC. F/K/A
PHYSICIAN SALES & SERVICES,
INC. AND GULF SOUTH MEDICAL
SUPPLY, INC.

APPELLEES

FROM THE 342ND DISTRICT COURT OF TARRANT COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

We have considered “Appellant Cody Smith's Agreed Motion To Dismiss Appeal.” It is the court’s opinion that the motion should be granted; therefore, we dismiss the appeal. See Tex. R. App. P. 42.1(a)(1), 43.2(f).

¹See Tex. R. App. P. 47.4.

Costs of the appeal shall be paid by the party incurring the same, for which
let execution issue. See Tex. R. App. P. 43.4.

PER CURIAM

PANEL: MEIER, WALKER, and GABRIEL, JJ.

DELIVERED: September 15, 2011