



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

**NO. 02-12-00042-CV**

LEGEND HEALTHCARE  
GAINESVILLE, LP D/B/A PECAN  
TREE MANOR

APPELLANT

V.

JOSEPHINE BARNES, TERRI BAIZE,  
AND MARIE HAUSER, INDIVIDUALLY  
AND ON BEHALF OF THE ESTATE  
OF THERESA SUE MACRI

APPELLEES

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FROM THE 235TH DISTRICT COURT OF COOKE COUNTY  
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**MEMORANDUM OPINION<sup>1</sup> AND JUDGMENT**  
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We have considered the parties' "Joint Motion To Dismiss." 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).

Costs of the appeal shall be paid by appellant, for which let execution issue. See Tex. R. App. P. 42.1(d).

PER CURIAM

PANEL: MEIER, MCCOY, and GABRIEL, JJ.

DELIVERED: November 15, 2012

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<sup>1</sup>See Tex. R. App. P. 47.4.