



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

NO. 02-15-00262-CV

EVERBANK

APPELLANT

V.

JOHN GRANGER, III

APPELLEE

FROM COUNTY COURT AT LAW NO. 2 OF TARRANT COUNTY
TRIAL COURT NO. 2015-001373-2

SUBSTITUTED MEMORANDUM OPINION¹ AND JUDGMENT

We withdraw our September 24, 2015 memorandum opinion and judgment and substitute the following.

We have considered appellant's "Motion To Dismiss With Prejudice." 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

¹See Tex. R. App. P. 47.4.

paid by the party incurring the same, for which let execution issue. See Tex. R.
App. P. 42.1(d).

/s/ Bonnie Sudderth
BONNIE SUDDERTH
JUSTICE

PANEL: LIVINGSTON, C.J.; DAUPHINOT and SUDDERTH, JJ.

DELIVERED: October 8, 2015