

NO. 07-01-0094-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
SEPTEMBER 27, 2001

KELLY GREEN SEEDS, INC., APPELLANT

V.

PAUL DANIEL AND BOBBY DANIEL, APPELLEES

FROM THE 69TH DISTRICT COURT OF HARTLEY COUNTY;
NO. 3889H; HONORABLE RON ENNS, JUDGE

Before BOYD, C.J., and REAVIS and JOHNSON, JJ.

DISMISSAL

Appellant Kelly Green Seeds, Inc. perfected this appeal from the trial court's judgment in favor of appellees Paul Daniel and Bobby Daniel. On September 20, 2001, all parties filed a joint motion to dismiss this appeal with prejudice based on a settlement

agreement with costs to be assessed against the party incurring them. We grant the motion and dismiss the appeal.

Without passing on the merits of the case, the motion is granted and the appeal is hereby dismissed. Tex. R. App. P. 42.1(a)(1). Having dismissed the appeal at the request of all parties, no motion for rehearing will be entertained and our mandate will issue forthwith.

Don H. Reavis
Justice

Do not publish.