

NO. 07-01-0440-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
NOVEMBER 15, 2001

HEARING TECHNOLOGIES, INC.,

Appellant

v.

CALL AWAY ENTERPRISES, INC.,

Appellee

FROM THE COUNTY COURT NO. 3 OF LUBBOCK COUNTY;
NO. 590,344; HON. WILLIAM R. SHAVER, PRESIDING

ORDER ON APPELLANT'S MOTION TO DISMISS APPEAL

Before QUINN, REAVIS and JOHNSON, JJ.

Hearing Technologies, Inc., appellant, has moved to dismiss its appeal contending that the "motion is made as part of a settlement by the parties of all issues on appeal" and that "the parties have agreed to a contractual resolution of the matters on appeal." Without passing on the merits of the case, we grant the motion pursuant to Texas Rule of Appellate Procedure 42.1(a)(2) and dismiss the appeal. Having dismissed the appeal at appellant's personal request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Brian Quinn
Justice

Do not publish.