

NO. 07-02-0170-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
JULY 21, 2003

MCDILL COLUMBUS CORPORATION, NORTHWOOD FOREST
APARTMENTS, INC., MCDILL OF TEXAS 2, INC., AND
PARTNERS NORTHWOOD LTD., APPELLANTS

V.

U.S.A. METROPOLITAN TAX CREDIT FUND II, L.P.,
RICHMAN METROPOLITAN, INC., AND THE
RICHMAN GROUP OF CONNECTICUT, APPELLEES

FROM THE 127TH DISTRICT COURT OF HARRIS COUNTY;
NO. 96-10530; HONORABLE SHARONLYN WOOD, JUDGE

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

MEMORANDUM OPINION

By order dated September 23, 2002, this appeal was suspended following the Court's receiving Notice of Bankruptcy in regard to appellant Partners Northwood, Ltd. The parties have now filed a copy of the Order Confirming Second Amended Plan of

Reorganization, as Modified, Under Chapter 11 of the United States Bankruptcy Code in Case No. 02-12963-8P1 in the United States Bankruptcy Court for the Middle District of Florida, Tampa Division, styled In re: Partners Northwood, Ltd. Pursuant to the order of confirmation, the parties have submitted a Joint Motion to Dismissal Appeal.

The appeal is reinstated. The motion to dismiss is granted. The appeal is dismissed. TEX. R. APP. P. 42.1(a)(2). All costs having been paid, no order pertaining to the costs is made. Having dismissed the appeal at the parties' request, no motion for rehearing will be entertained and our mandate will issue forthwith.

Phil Johnson
Chief Justice