

NO. 07-03-0073-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
MAY 13, 2003

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MARTIN B. JONES, M.D., APPELLANT

V.

TEMPLETON, SMITHEE, HAYES, FIELDS, YOUNG & HEINRICH,  
AND JOE W. HAYES, INDIVIDUALLY, APPELLEES

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FROM THE 181ST DISTRICT COURT OF POTTER COUNTY;  
NO. 88,059-B; HONORABLE VANN CULP, JUDGE

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Before QUINN and REAVIS and CAMPBELL, JJ.

**MEMORANDUM OPINION<sup>1</sup>**

Appellant Martin B. Jones, M.D. filed a notice of appeal challenging the trial court's summary judgment in favor of appellees Templeton, *et al.*, and Joe W. Hayes, individually.

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<sup>1</sup>Tex. R. App. P. 47.2(a).

Pending before this Court is an agreed motion to dismiss the appeal by which the parties represent that they have executed a settlement agreement disposing of all issues.

Without passing on the merits of the case, pursuant to Rule 42.1(a) of the Texas Rules of Appellate Procedure we grant the motion and dismiss the appeal. 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