

NO. 07-03-0142-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
NOVEMBER 3, 2004

MINERAL EXCHANGE, LTD., APPELLANT

V.

TEXACO INC., ET AL., APPELLEES

FROM THE 223RD DISTRICT COURT OF GRAY COUNTY;
NO. 31976; HONORABLE LEE WATERS, JUDGE

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

MEMORANDUM OPINION

Pending before this Court is an agreed motion filed by appellants/conditional appellees Mineral Exchange, Ltd., Kaari Oil Company, and Bourland and Leverich Oil and Gas, Ltd. and appellees/conditional appellants Texaco Exploration and Production, Inc. and Pioneer Natural Resources USA, Inc. by which they request this appeal be dismissed

with prejudice and that each party bear its own costs and fees. Without passing on the merits of the appeal, the motion is granted. Having dismissed the appeal at the request of all parties, no motion for rehearing will be entertained and our mandate will issue forthwith.

Accordingly, the appeal is dismissed with prejudice. See Tex. R. App. P. 42.1(a)(2)(A).

Don H. Reavis
Justice