

NO. 07-04-0545-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
APRIL 5, 2005

ANGELITA E. ORTIZ, Individually and as Representative of the
Estate of JOSE FABIAN ORTIZ, Deceased, and as Next Friend
of RONNIE JAY ORTIZ and JOSE FABIAN ORTIZ, JR., Minors,
and ZOILA P. ORTIZ and STEPHANIE ORTIZ as Next Kin of
JOSE FABIAN ORTIZ, DECEASED,

Appellants

V.

SERVICE GIN, INC.,

Appellee

FROM THE 242nd DISTRICT COURT OF HALE COUNTY;
NO. B-33181-0313; HON. ED SELF, PRESIDING

On Motion to Dismiss

Before QUINN, REAVIS and CAMPBELL, JJ.

Angelita E. Ortiz, Individually and as Representative of the Estate of Jose Fabian Ortiz, Deceased, and as Next Friend of Ronnie Jay Ortiz and Jose Fabian Ortiz, Jr., Minors, and Zoila P. Ortiz and Stephanie Ortiz as Next Kin of Jose Fabian Ortiz, Deceased,

appellants, and Service Gin, Inc., appellee, by and through their attorneys, have filed a motion to dismiss this appeal because the parties have fully compromised and settled all issues in dispute and neither desire to pursue the appeal. Without passing on the merits of the case, we grant the motion to dismiss pursuant to Texas Rule of Appellate Procedure 42.1(a)(2) and dismiss the appeal. Having dismissed the appeal at appellants' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Brian Quinn
Justice