

NO. 07-05-0326-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
NOVEMBER 8, 2005

---

ERNIE A. TUCKER d/b/a AGRI-BUSINESS INSURANCE AGENCY,  
Appellant

v.

ANCO U.S. PRODUCERS GROUP OF LUBBOCK, INC.,  
Appellee

---

FROM THE 99<sup>TH</sup> DISTRICT COURT OF LUBBOCK COUNTY;  
NO. 2004-527,799; HON. MACKEY K. HANCOCK, PRESIDING

---

***ON MOTION TO DISMISS***

---

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

Ernie A. Tucker, d/b/a Agri-Business Insurance Agency, appellant, has filed a motion to dismiss this appeal because he no longer wishes to pursue it. Counsel for Anco U.S. Producers Group of Lubbock, Inc., appellee, agreed to the motion. Without passing on the merits of the case, we grant the motion per Texas Rule of Appellate Procedure 42.1(a)(2) and dismiss the appeal. Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Brian Quinn  
Chief Justice