

NO. 07-05-0375-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
MAY 8, 2007

LEE Y. COCKRELL, GUARDIAN OF THE PERSON AND ESTATE OF
ALICE B. INGRUM GRAY, AN INCAPACITATED PERSON, APPELLANT

V.

RICHARD C. DEVUYST AND LINDA DEVUYST d/b/a DEVUYST DAIRY, LARRY
RODEN, GARY RODEN, AND RICKY RODEN d/b/a TOP O' TEXAS DAIRY,
AND GENE O. "BUDDY" COCKRELL, APPELLEES

FROM THE 31ST DISTRICT COURT OF GRAY COUNTY;
NO. 33,395; HONORABLE STEVEN R. EMMERT, JUDGE

Before CAMPBELL and HANCOCK and PIRTLE, JJ.

MEMORANDUM OPINION

Pending before this Court is *Appellant's Motion to Dismiss* in which, Lee Y. Cockrell, Guardian of the Person and Estate of Alice B. Ingram Gray, an Incapacitated Person, represents that pursuant to a settlement agreement, he no longer wishes to pursue this

appeal. Cockrell also represents that all disputes between the parties have been settled and requests dismissal with prejudice.

Without passing on the merits of the case, pursuant to Rule 42.1(a)(1) of the Texas Rules of Appellate Procedure, we grant the motion and dismiss the appeal with prejudice. Having dismissed the appeal at Cockrell's request, no motion for rehearing will be entertained and our mandate will issue forthwith.

Patrick A. Pirtle
Justice