

NO. 07-08-0059-CV

IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL B

APRIL 14, 2008

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SMITH INTERNATIONAL, INC. AND/OR SMITH SERVICES  
AND HARLEY TYLER,

Appellants

V.

ISRAEL BUSTAMANTE,

Appellee

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FROM THE 286th DISTRICT COURT OF COCHRAN COUNTY;

NO. 06-04-3964; HON. HAROLD PHELAN, PRESIDING

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***ON MOTION TO DISMISS***

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

Appellants, by and through their attorney, represent to the court that they no longer wish to pursue this appeal and ask the Court to dismiss it. Appellee agrees to this motion. Without passing on the merits of the case, we grant the motion pursuant to Texas Rule of Appellate Procedure 42.1(a)(2), vacate the trial court's judgment, and dismiss the case. TEX R. APP. P. 43.2(e) (stating that an appellate court may vacate a trial court's judgment and dismiss the case). Our having done so at the request of all the litigants, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Brian Quinn  
Chief Justice