

NO. 07-08-0141-CV

IN THE COURT OF APPEALS

FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL D

JULY 9, 2008

ASBESTOS MAINTENANCE SERVICES, INC., APPELLANT

v.

HUTCHINSON COUNTY, APPELLEE

FROM THE 84TH DISTRICT COURT OF HUTCHINSON COUNTY;

NO. 35,525; HONORABLE DAVID GLEASON, JUDGE

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

MEMORANDUM OPINION

Pending before this Court is Asbestos Maintenance Services, Inc.'s Motion to Dismiss Appeal. We grant the motion. See Tex. R. App. P. 42.3(a)(1). Also pending is the District Clerk's request for an extension of time in which to file the clerk's record by which she indicates the record has not been paid for and also notes that she was notified

that the case had been settled. The request for an extension of time is rendered moot by our disposition of the motion to dismiss. Having dismissed the appeal at Appellant's request, no motion for rehearing will be entertained and our mandate will issue forthwith.

Accordingly, the appeal is dismissed.

Patrick A. Pirtle
Justice