

NO. 07-08-0414-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
DECEMBER 10, 2008

GEORGE CHAPMAN AND KAREN CHAPMAN, APPELLANTS

v.

ALLSTATE TEXAS LLOYDS, APPELLEE

FROM THE 251ST DISTRICT COURT OF RANDALL COUNTY;
NO. 57,624-C; HON. ANA ESTEVEZ, PRESIDING

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

ON MOTION TO DISMISS

Appellants George and Karen Chapman filed a motion to dismiss their appeal on December 8, 2008. The motion includes a certificate of conference indicating appellee Allstate Texas Lloyds is not opposed to the motion.

The motion to dismiss is granted and the appeal is dismissed. Tex. R. App. P. 42.1(a)(1). The motion does not indicate an agreement of the parties with regard to the distribution of costs of the appeal. We therefore tax costs of the appeal against appellants. Tex. R. App. P. 42.1(d).

Having dismissed the appeal at appellants' request, no motion for rehearing will be entertained and our mandate will issue forthwith.

James T. Campbell
Justice