NO. 07-10-0208-CV

IN THE COURT OF APPEALS

FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL D

SEPTEMBER 22, 2010

WELLS FARGO BANK, NATIONAL ASSOCIATION,

Appellant

v.

CATHERINE D. KOEHLER TRUST, MARY CATHERINE SCHOOLER TRUST, AND LOUISE TRAMMELL TRUST,

Appellees

FROM THE 108TH DISTRICT COURT OF POTTER COUNTY;

NO. 98,287-E; HONORABLE DOUGLAS WOODBURN, PRESIDING

On Agreed Motion to Dismiss Appellee The Mary Catherine Schooler Trust

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

Appellant Wells Fargo Bank, National Association and appellee the Mary Catherine Schooler Trust, filed an agreed motion to dismiss the Mary Catherine Schooler Trust from the appeal. Nothing appearing of record which indicates that the dismissal of the Mary Catherine Schooler Trust will prejudice any other party to the appeal, we grant the motion. TEX. R. APP. P. 42.1(b). The appeal of appellant is dismissed as to the Mary Catherine Schooler Trust.

Per Curiam