

NO. 07-11-0108-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL C  
OCTOBER 13, 2011

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DOS PANSONCITOS, INC., JIM BULLARD  
AND JOHN HEDRICK, APPELLANTS

V.

WILLIAM T. SISCO, M.D., APPELLEE

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FROM THE 99<sup>TH</sup> DISTRICT COURT OF LUBBOCK COUNTY;  
NO.2009-548,044; HONORABLE WILLIAM SOWDER, JUDGE

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

**MEMORANDUM OPINION**

Appellee, William T. Sisco, M.D., filed suit against Appellants, Dos Pansoncitos, Inc., Jim Bullard and John Hendrick alleging numerous causes of action related to a written contractual agreement for the purchase of a note. Following a bench trial, the trial court ordered that Dr. Sisco recover \$50,000 in damages plus attorney's fees. Appellants perfected this appeal.

Pending before this Court is Appellants' *Unopposed Motion to Dismiss* in which they represent that there is no longer an issue in controversy as the parties have settled and compromised their differences. Appellants request that this appeal be dismissed with prejudice and that costs be incurred against the party incurring them.

Without passing on the merits of the case, Appellants' motion is granted and the appeal is dismissed with prejudice. Tex. R. App. P. 42.1(a)(1). Per the motion, costs are to be assessed against the party incurring them. 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.

Patrick A. Pirtle  
Justice