

NO. 07-12-00148-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL A  
SEPTEMBER 20, 2012

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CROWELL SNF, LLC D/B/A CROWELL NURSING  
CENTER, APPELLANT

v.

TERRI WALL, ELIZABETH KAY BAIZE, VICKIE TAMPLEN,  
DEBRA SANDERSON, AND KEITH MCDANIEL, ON  
BEHALF OF THE ESTATE OF CHARLIE H. MCDANIEL,  
APPELLEES

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FROM THE 46TH DISTRICT COURT OF FOARD COUNTY;  
NO. 4675; HONORABLE DAN MIKE BIRD, JUDGE

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Before CAMPBELL and HANCOCK and PIRTLE, JJ.

**MEMORANDUM OPINION**

Appellant, Crowell SNF, LLC d/b/a Crowell Nursing Center, has filed an agreed motion to dismiss this interlocutory appeal because appellees, Terri Wall, Elizabeth Kay Baize, Vickie Tamplen, Debra Sanderson, and Keith McDaniel, on behalf of the Estate of Charlie H. McDaniel, have dismissed their case against appellant.<sup>1</sup> The motion is

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<sup>1</sup> Crowell indicates in its motion that the trial court's order of dismissal is attached to the motion as Exhibit A. However, the motion that was filed with this Court did not include any attachments.

signed by attorneys for both parties. Without passing on the merits of the case, we grant the motion and dismiss the appeal. See TEX. R. APP. P. 42.1(a)(1). There being no agreement of the parties to the contrary, costs of the appeal are taxed against appellant. TEX. R. APP. P. 42.1(d).

Having dismissed the appeal at the parties' request, we will not entertain a motion for rehearing and will issue our mandate forthwith.

Mackey K. Hancock  
Justice