

NO. 07-12-00306-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
NOVEMBER 14, 2012

XTREME OPERATING COMPANY, L.L.C.,
F/K/A IRA OIL & GAS, L.L.C., APPELLANT

v.

SUBMERSIBLE PUMP SPECIALIST, INC., APPELLEE

FROM THE 119TH DISTRICT COURT OF RUNNELS COUNTY;

NO. 14,540; HONORABLE BEN WOODWARD, JUDGE

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

MEMORANDUM OPINION

On November 2, 2012, appellant, Xtreme Operating Company, L.L.C. f/k/a Ira Oil & Gas, L.L.C., filed a motion to dismiss its appeal. No decision of this Court having been delivered to date, we grant the motion. Accordingly, appellant's appeal is dismissed. See TEX. R. APP. P. 42.1(a)(1). Appellant's motion requested that costs be taxed against appellant. If dismissal will prevent appellee from seeking relief to which it would otherwise be entitled, the Court directs appellee to file a timely motion for rehearing. No motion for rehearing from appellant will be entertained.

Mackey K. Hancock
Justice