



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-14-00043-CV

**TIMBERCREEK CANYON PROPERTY
OWNERS ASSOCIATION, INC., APPELLANT**

V.

CARL FOWLER, ET AL, APPELLEES

On Appeal from the 251st District Court
Randall County, Texas
Trial Court No. 62,758-C, Honorable Ana Estevez, Presiding

July 21, 2014

MEMORANDUM OPINION

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

On February 12, 2014, appellant Timbercreek Canyon Property Owners' Association, Inc., filed a notice of appeal. A notice of appeal by appellees "Carl Fowler, *et al.*"¹ was filed on February 25. Appellees as cross-appellants have now filed a motion seeking voluntary dismissal of their cross-appeal. According to a certificate of conference attached to the motion, it is not opposed by appellant.

¹ This is also the only designation of the defendants appearing in the judgment of the trial court.

Accordingly, and as no decision of the court has been delivered to date, we grant appellees' motion. The cross-appeal is dismissed. See TEX. R. APP. P. 42.1(a)(1), 43.2(f). The appeal of appellant Timbercreek Canyon Property Owners' Association, Inc., remains pending. Costs of the cross-appeal shall be paid by appellees. See TEX. R. APP. P. 42.1(d).

Per Curiam