



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

No. 07-14-00120-CV

**HAPPY STATE BANK, IN ITS CORPORATE CAPACITY AND
AS TRUSTEE OF THE BERTHA MCLAIN IRREVOCABLE TRUST
A AND HESTER, MCGLASSON & COX, G.P., CHARLES HESTER
AND DARRELL CAREY, APPELLANTS**

V.

**RYCHELLE L. MCCROSKEY, MICHAEL FELIX
AND BRANDON FRASER, APPELLEES**

**On Appeal from the 108th District Court
Potter County, Texas
Trial Court No. 100,778-E, Honorable Douglas Woodburn, Presiding**

May 7, 2014

MEMORANDUM OPINION

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

The Court's opinion and judgment issued on April 28, 2014 is hereby withdrawn and this opinion is issued in its place.

We have considered the two petitions filed by Happy State Bank and by Hester, McGlasson & Cox, G.P., Charles Hester, and Darrell Carey, in which the parties,

Defendants below and Petitioners in this Court, seek permissive appeal to this Court of the trial court's interlocutory order signed March 17, 2014. See TEX. R. APP. P. 28.3. We sought and received a response to those petitions from Rychelle L. McCroskey, Michael Felix, and Brandon Fraser, Plaintiffs below.

After careful consideration of the petitions and responses, including the items in the appendices attached thereto, and the rules applicable to permissive appeals, we hereby, DENY Petitioners' petitions seeking permission to appeal the trial court's interlocutory order signed March 17, 2014. Accordingly, we dismiss the appeal for want of jurisdiction. See TEX. R. APP. P. 43.2(f).

Per Curiam