



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

---

No. 07-16-00178-CV

---

**WALTER STANLEY BAKER, TRUSTEE, AS OF CHARLES MAYNARD BAKER AND  
WANDA JEAN BAKER FAMILY TRUST AND WINONA MAY MCMILLAN, TRUSTEE,  
OF JOHN W. MCMILLAN AND WINONA M. MCMILLAN REVOCABLE LIVING  
TRUST; WANDA BAKER MEADOR, DAVID ADAMS; AND ARM AGGREGATE, LLC,  
APPELLANTS**

**V.**

**J.C. CALM FOUNDATION, INC., APPELLEE**

---

**On Appeal from the 106th District Court  
Lynn County, Texas  
Trial Court No. 16-03-07276, Honorable Carter T. Schildknecht, Presiding**

---

**June 22, 2016**

**MEMORANDUM OPINION**

**Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.**

On June 20, 2016, appellants filed a motion to dismiss their appeal. No decision of this Court having been delivered to date and without passing on the merits of the appeal, we grant the motion and dismiss appellants' appeal. See TEX. R. APP. P. 42.1(a)(1). Because appellants' motion does not address costs, costs will be taxed against appellants. See TEX. R. APP. P. 42.1(d). 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 appellants will be entertained.

Mackey K. Hancock  
Justice