



**IN THE
TENTH COURT OF APPEALS**

No. 10-09-00287-CV

LELVE JUSTIN GAYLE, M.D.,

Appellant

v.

ALMA DOREEN TODD,

Appellee

**From the 85th District Court
Brazos County, Texas
Trial Court No. 09-000300-CV-85**

MEMORANDUM OPINION

Lelve Justin Gayle filed a notice of appeal on August 28, 2009 from an order of the trial court that denied his motion to dismiss pursuant to Section 74.351(b) of the Texas Civil Practice and Remedies Code. Gayle now seeks a dismissal of his appeal because he no longer wishes to pursue the legal issues involved in this appeal.

Accordingly, this appeal is dismissed. TEX. R. APP. P. 42.1(a)(1).

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Reyna, and
Justice Davis
Appeal dismissed
Opinion delivered and filed November 4, 2009
[CV06]