



IN THE
TENTH COURT OF APPEALS

No. 10-10-00030-CV

FORREST PONTIAC-BUICK-GMC TRUCKS, INC.,
Appellant

v.

THOMAS M. PERNELL, AS TRUSTEE
OF THE PERNELL FAMILY TRUST,
Appellees

From the 413th District Court
Johnson County, Texas
Trial Court No. C200400588

MEMORANDUM OPINION

Appellant has filed a "Motion to Dismiss Appeal." *See* TEX. R. APP. P. 42.1(a)(1). It states that the trial court granted Appellant's motion for new trial and that this appeal is moot.

Dismissal of this appeal would not prevent a party from seeking relief to which it would otherwise be entitled. The appeal is dismissed.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Reyna, and
Justice Davis

Dismissed

Opinion delivered and filed April 21, 2010
[CV06]