



IN THE
TENTH COURT OF APPEALS

No. 10-11-00305-CV

JOHN MARGETIS AND MICHAEL BRISCOE,
Appellants

v.

CANOPY CONSTRUCTION, LLC, EPSILON
HOLDINGS, LP, GZH ENTERPRISES, INC.,
ANDREW HEAPE, TREY GIBSON AND NICK ZINDEL,
Appellees

From the 40th District Court
Ellis County, Texas
Trial Court No. 82353

MEMORANDUM OPINION

Appellants, John Margetis and Michael Briscoe, have filed a motion to dismiss their appeal of the trial court's summary-judgment order.¹ See TEX. R. APP. P. 42.1(a)(1). Dismissal of this appeal would not prevent a party from seeking relief to which it would otherwise be entitled. The motion is granted, and the appeal is dismissed.

¹ Margetis and Briscoe have styled their motion as a "Motion to Withdraw"; however, we construe the motion to be a motion to dismiss.

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Motion granted; appeal dismissed
Opinion delivered and filed March 21, 2012
[CV06]