

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-05-00394-CV

Dayand Limited Partnership, Appellant

v.

Jack Gindi, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 353RD JUDICIAL DISTRICT
NO. GN402826, HONORABLE STEPHEN YELENOSKY, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant has filed a motion to dismiss the interlocutory appeal as moot. We grant the motion and dismiss the appeal. Tex. R. App. P. 42.1(a).

David Puryear, Justice

Before Chief Justice Law, Justices B. A. Smith and Puryear

Dismissed on Appellant's Motion

Filed: August 10, 2005