

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-05-00481-CV**

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**DBC Pipeline Construction, Inc., Appellant**

**v.**

**City of Austin, Appellee**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 261ST JUDICIAL DISTRICT  
NO. GN502114, HONORABLE DARLENE BYRNE, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

On February 24, 2006, the parties informed us that they have resolved their dispute and would be filing a joint motion to dismiss. *See* Tex. R. App. P. 42.1(a). To date, we have not received such a motion. Accordingly, in order to allow the parties time to complete any necessary paperwork, we will abate the appeal for sixty days. The appeal will be automatically reinstated in sixty days. The parties may file a motion to dismiss at any time.

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W. Kenneth Law, Chief Justice

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

Filed: March 31, 2006