

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-06-00222-CV

Ex parte Emilio Kifuri III

**FROM THE DISTRICT COURT OF COMAL COUNTY, 274TH JUDICIAL DISTRICT
NO. C-2001-630C, HONORABLE CHARLES A. STEPHENS, II, JUDGE PRESIDING**

MEMORANDUM OPINION

Relator Emilio Kifuri filed his petition for writ of habeas corpus with this Court on April 18, 2006. The reporter's record was filed on April 19, 2006. On April 21, 2006, Kifuri informed this Court that the parties had reached a settlement agreement and expected to file a motion to dismiss the appeal by Monday, April 24, 2006. On June 8, 2006, the Clerk of this Court sent both parties a request to file a written response in this Court regarding the status of the parties' settlement agreement on or before June 16, 2006. To date, neither party has responded to this Court's notice. We dismiss the appeal on our own motion. Tex. R. App. P. 42.3(c).

Bob Pemberton, Justice

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

Dismissed

Filed: July 6, 2006