

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

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**ON MOTION FOR REHEARING**

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**NO. 03-11-00110-CV**

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**Jon Alan Ashcraft, Appellant**

**v.**

**Estate of Jay Arden Ashcraft and Richard Trachtenberg, Administrator, Appellees**

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**FROM THE PROBATE COURT NO. 1 OF TRAVIS COUNTY,  
NO. C-1-PB-10-000318, HONORABLE GUY S. HERMAN, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

On August 2, 2011, the panel issued an opinion and judgment in this appeal. Appellant filed a motion for rehearing, extending our plenary power, which remains pending before this Court. On August 28, 2012, Appellant filed an unopposed motion to dismiss the appeal. Appellant states that the parties have reached an agreement and have settled all matters in this case. Accordingly, we grant appellant's motion to dismiss, withdraw the court's opinion and judgment dated August 2, 2011, and dismiss the appeal. *See* Tex. R. App. P. 42.1(a)(1). Appellant's motion for rehearing is dismissed as moot.

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Melissa Goodwin, Justice

Before Justices Puryear, Rose and Goodwin

Dismissed on Appellant's Motion

Filed: September 18, 2012