

NO. 12-17-00327-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***DESIREE THAMATHITIKHUN,
PHUWADOL THAMATHITIKHUN,
AND ALL OTHER OCCUPANTS,
APPELLANTS***

§ ***APPEAL FROM THE***

V.

§ ***COUNTY COURT AT LAW NO. 3***

***THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE CERTIFICATE
HOLDERS OF CWALT, INC.,
ALTERNATIVE LOAN TRUST 2005-
73CB MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-73CB,
APPELLEE***

§ ***SMITH COUNTY, TEXAS***

***MEMORANDUM OPINION
PER CURIAM***

Appellants, Desiree Thamathitikhun, Phuwadol Thamathitikhun, and all other occupants, have filed an unopposed motion to dismiss this appeal. The motion states that Appellants no longer desire to pursue the appeal. Accordingly, Appellants' motion to dismiss is granted, and the appeal is *dismissed*. See TEX. R. APP. P. 42.1(a).

Opinion delivered January 24, 2018.

Panel consisted of Worthen, C.J., Hoyle, J., and Neeley, J.

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

JANUARY 24, 2018

NO. 12-17-00327-CV

**DESIREE THAMATHITIKHUN, PHUWADOL THAMATHITIKHUN,
AND ALL OTHER OCCUPANTS,**

Appellants

V.

**THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWALT, INC.,
ALTERNATIVE LOAN TRUST 2005-73CB MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-73CB,**

Appellee

Appeal from the County Court at Law No. 3
of Smith County, Texas (Tr.Ct.No. 64129-B)

THIS CAUSE came on to be heard on the motion of the Appellants to dismiss the appeal herein, and the same being considered, it is hereby ORDERED, ADJUDGED and DECREED by this Court that the motion to dismiss be **granted** and the appeal be **dismissed**, and that the decision be certified to the court below for observance.

By *per curiam* opinion.

Panel consisted of Worthen, C.J., Hoyle, J. and Neeley, J.