

COURT OF APPEALS OF TEXAS, SECOND DISTRICT, FORT WORTH

AMX Enterprises, L.L.P., f/k/a AMX Enterprises, Inc. v. Master Realty Corp.

No. 2-07-239-CV · No. No. 2-07-239-CV · Decided July 24, 2008

SUMMARY

The Court of Appeals for the Second District of Texas dismissed AMX Enterprises, L.L.P.'s appeal as to appellee Composite Investments, Inc., pursuant to an agreed motion. The court ordered that the case thereafter be styled against Master Realty Corp. only and assessed the relevant appellate costs against AMX Enterprises.

CASE DETAILS

COURT	Court of Appeals of Texas, Second District, Fort Worth
WRITING FOR THE COURT	Lee Ann Dauphinot Gardner; Holman; Walker
JURISDICTION	Texas
DECIDED	July 24, 2008
DOCKET	No. 2-07-239-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant filed an agreed motion to dismiss the appeal as to appellee Composite Investments, Inc. only.
PRECEDENTIAL VALUE	Published memorandum opinion; precedential status is not otherwise specified in the provided text.
PARTIES	AMX Enterprises, L.L.P., f/k/a AMX Enterprises, Inc. v. Master Realty Corp., Composite Investments, Inc.

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

civil procedure

appellate procedure

QUESTIONS PRESENTED

- Whether the agreed motion to dismiss the appeal as to Composite Investments, Inc. should be granted.

HOLDINGS

1. The agreed motion to dismiss the appeal as to Composite Investments, Inc. was granted, and the appeal was dismissed as to that appellee only.

FACTUAL BACKGROUND

The opinion concerns an agreed motion to dismiss the pending appeal as to one appellee, Composite Investments, Inc. The court dismissed the appeal as to Composite and assessed the related appellate costs against appellant.

PROCEDURAL HISTORY

The appeal was pending before the Court of Appeals of Texas, Second District, Fort Worth, from the 141st District Court of Tarrant County. The court granted the agreed motion and dismissed the appeal only as to Composite Investments, Inc.; the appeal continued as to Master Realty Corp.

DISPOSITION

dismissed

OPINION

PER CURIAM.

COURT OF APPEALS SECOND DISTRICT OF TEXAS FORT WORTH NO. 2-07-239-CV AMX ENTERPRISES, L.L.P., APPELLANT F/K/A AMX ENTERPRISES, INC. V. MASTER REALTY CORP. AND APPELLEES COMPOSITE INVESTMENTS, INC. FROM THE 141ST DISTRICT COURT OF TARRANT COUNTY MEMORANDUM OPINION[1] AND JUDGMENT We have considered the AAgreed Motion To Dismiss Appeal As To Composite Investments, Inc. Only.@ It is the court=s opinion that the motion should be granted; therefore, we dismiss the appeal of appellant as to appellee Composite Investments, Inc. only.

See TEX. R. APP. P. 42.1(a)(1), 43.2(f). This case shall hereafter be styled AAMX Enterprises, L.L.P., f/k/a AMX Enterprises, Inc. v. Master Realty Corp.@ Costs of the appeal of appellant as to appellee Composite Investments, Inc. only shall be paid by appellant, for which let execution issue. PER CURIAM PANEL B: GARDNER, HOLMAN, and WALKER, JJ. DELIVERED: July 24, 2008 [1]See Tex. R. App.

P. 47.4.