

COURT OF APPEALS OF TEXAS, NINTH DISTRICT AT BEAUMONT

Chanel Investments, LLC d/b/a PA Service Center v. Charles Ewart

No. 09-15-00251-CV · No. No. 09-15-00251-CV · Decided August 27, 2015

SUMMARY

The Ninth District Court of Appeals of Texas granted the appellant's voluntary motion to dismiss the appeal under Texas Rule of Appellate Procedure 42.1(a)(1). The court dismissed the appeal because the motion was filed before any decision and no other party had filed a notice of appeal.

CASE DETAILS

COURT	Court of Appeals of Texas, Ninth District at Beaumont
WRITING FOR THE COURT	Steve McKeithen, Chief Justice; Kreger, Justice; Johnson, Justice
JURISDICTION	Texas
DECIDED	August 27, 2015
DOCKET	No. 09-15-00251-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant moved to voluntarily dismiss its appeal before the court issued a decision.
PRECEDENTIAL VALUE	Memorandum opinion; no reporter citation appears in the source.
PARTIES	Chanel Investments, LLC d/b/a PA Service Center v. Charles Ewart

TOPICS

[motions to dismiss](#) [appellate procedure](#) [civil procedure](#)

PRACTICE AREAS

[appellate procedure](#) [civil procedure](#)

QUESTIONS PRESENTED

1. Whether the appellant's voluntary motion to dismiss the appeal should be granted under Texas Rule of Appellate Procedure 42.1(a)(1).

HOLDINGS

1. A party may voluntarily dismiss its appeal before the court issues a decision, and the court granted Chanel Investments' motion to dismiss under Texas Rule of Appellate Procedure 42.1(a)(1).

KEY QUOTATIONS

“The appellant, Chanel Investments, LLC d/b/a PA Service Center, filed a motion to dismiss this appeal. The motion is voluntarily made by the appellant prior to any decision of this Court.”

“We grant the motion and dismiss the appeal.”

FACTUAL BACKGROUND

The appeal arose from a proceeding in the 284th District Court of Montgomery County, Texas. Before the appellate court issued any decision, the appellant voluntarily sought dismissal, and no other party had filed a notice of appeal.

PROCEDURAL HISTORY

Chanel Investments appealed from the 284th District Court of Montgomery County, Texas. Before the Court of Appeals issued a decision, the appellant voluntarily moved to dismiss the appeal; no other party filed a notice of appeal. The court granted the motion and dismissed the appeal.

DISPOSITION

dismissed

OPINION

PER CURIAM.

In The Court of Appeals Ninth District of Texas at Beaumont _____ NO. 09-15-00251-CV _____ CHANEL INVESTMENTS, LLC D/B/A PA SERVICE CENTER, Appellant V. CHARLES EWART, Appellee

_____ On Appeal from the 284th District Court Montgomery County, Texas Trial Cause No. 12-09-09659 CV _____

MEMORANDUM OPINION The appellant, Chanel Investments, LLC d/b/a PA Service Center, filed a motion to dismiss this appeal.

The motion is voluntarily made by the appellant prior to any decision of this Court. See Tex. R. App. P. 42.1(a)(1). No other party filed notice of appeal. We grant the motion and dismiss the appeal. APPEAL DISMISSED. _____ STEVE McKEITHEN Chief Justice 1 Submitted on August 26, 2015 Opinion Delivered August 27, 2015 Before McKeithen, C.J., Kreger and Johnson, JJ. 2

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