

COURT OF APPEALS OF TEXAS, FOURTH DISTRICT

**Ron Pegram d/b/a Property Resources v. GBL Galaxy Builders, Ltd.
d/b/a Galaxy Builders, Ltd.**

Pegram v. GBL Galaxy Builders · No. 04-09-00413-CV · Decided November 18, 2009

OPINION

PER CURIAM.

MEMORANDUM OPINION No. 04-09-00413-CV Ron PEGRAM d/b/a Property Resources, Appellant v. GBL GALAXY BUILDERS, LTD. d/b/a Galaxy Builders, Ltd., Appellee From the County Court at Law No. 5, Bexar County, Texas Trial Court No. 339415 Honorable Timothy Johnson, Judge Presiding PER CURIAM Sitting: Catherine Stone, Chief Justice Steven C. Hilbig, Justice Marialyn Barnard, Justice Delivered and Filed: November 18, 2009 DISMISSED Appellee GBL Galaxy Builders, Ltd. filed a notice advising the court the parties have settled the dispute underlying this appeal.

Appellee attached a copy of the parties' agreement, which requires appellant, Ron Pegram d/b/a Property Resources to "drop and dismiss the appeal." On October 30, 2009, we ordered appellant to show cause, no later than November 6, 2009, why the appeal should not be dismissed. See Bd. of Adjustment v. Wende, 92 S.W.3d 424, 427 (Tex. 2002) (holding that when parties have settled dispute, there is no longer a live controversy between them, and appeal is moot).

Our order advised appellant the appeal would be dismissed if appellant failed to satisfactorily respond within the time provided. See Tex. R. App. P. 42.3(c). Appellant has not responded to our order. We therefore dismiss this appeal.

We order all costs assessed against appellant. See Tex. R. App. P. 42.1(d). PER CURIAM