

COURT OF APPEALS OF TEXAS, TENTH DISTRICT

**Big Creek Construction, LTD, and Cowbell Traffic Service, Inc. v.
Kay and Terry Kamp**

No. 10-14-00046-CV · No. No. 10-14-00046-CV · Decided July 3, 2015

SUMMARY

In this premises-liability appeal arising from a car accident, Big Creek Construction, Ltd. challenged a judgment favoring Kay and Terry Kamp. The Tenth Court of Appeals granted Big Creek's motion to dismiss after settlement and ordered the parties to bear their own appellate costs.

OPINION

PER CURIAM.

IN THE TENTH COURT OF APPEALS No. 10-14-00046-CV BIG CREEK CONSTRUCTION, LTD, AND COWBELL TRAFFIC SERVICE, INC., Appellants v. KAY AND TERRY KAMP, Appellees From the 87th District Court Freestone County, Texas Trial Court No. 11-035-B MEMORANDUM OPINION In this premises-liability case stemming from a car accident, appellant, Big Creek Construction, Ltd., challenges the trial court's judgment entered in favor of appellees, Kay and Terry Kamp.

However, on June 16, 2015, appellant filed a motion to dismiss this appeal, stating that "the parties recently completed a settlement of their dispute, and Big Creek no longer wishes to prosecute this appeal." See TEX. R. APP. P. 42.1(a)(1). Dismissal of this appeal will not prevent the parties from seeking relief to which they would otherwise be entitled.

Accordingly, we grant appellant's motion. This appeal is hereby dismissed, and we order that the parties bear their own appellate costs. AL SCOGGINS Justice Before Chief Justice Gray, Justice Davis, and Justice Scoggins Appeal dismissed Opinion delivered and filed July 2, 2015 [CV06] Big Creek Construction, LTD v. Kamp Page 2