

COURT OF APPEALS OF TEXAS, ELEVENTH DISTRICT AT EASTLAND

Siana Oil and Gas v. Tim Snelson's Pumping Unit Service, Inc.

Siana Oil · No. 11-19-00012-CV · Decided June 6, 2019

SUMMARY

The Eleventh Court of Appeals of Texas granted Siana Oil and Gas's motion to dismiss its appeal with prejudice after the parties settled all issues. The court dismissed the appeal under Texas Rule of Appellate Procedure 42.1(a)(1), with costs borne by the party incurring them under Rule 42.1(d).

CASE DETAILS

COURT	Court of Appeals of Texas, Eleventh District at Eastland
WRITING FOR THE COURT	Bailey, C.J.; Stretcher, J.; Wright, S.C.J.
JURISDICTION	Texas
DECIDED	June 6, 2019
DOCKET	11-19-00012-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant moved to dismiss its appeal with prejudice after settling all issues with appellee.
PRECEDENTIAL VALUE	Memorandum opinion; precedential status not expressly stated in the opinion text
PARTIES	Siana Oil and Gas v. Tim Snelson's Pumping Unit Service, Inc.

TOPICS

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

PRACTICE AREAS

[Appellate procedure](#) [Civil procedure](#)

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed with prejudice at the appellant's request after settlement of the parties' disputes.

HOLDINGS

1. The appeal was dismissed with prejudice pursuant to the appellant's motion and Texas Rule of Appellate Procedure 42.1(a)(1).

KEY QUOTATIONS

“In accordance with Appellant’s request, we dismiss this appeal.”

“The motion to dismiss with prejudice is granted, and the appeal is dismissed.”

FACTUAL BACKGROUND

The appellant represented that it had settled all issues with the appellee and no longer wished to pursue its claims. The appellant requested dismissal of the appeal with prejudice and stated that each party would bear its own costs.

PROCEDURAL HISTORY

Siana Oil and Gas appealed from the County Court at Law of Midland County. After settling all issues with Tim Snelson's Pumping Unit Service, Inc., Siana moved to dismiss the appeal with prejudice, and the court granted the motion and dismissed the appeal.

DISPOSITION

dismissed

OPINION

Siana Oil and Gas v. Tim Snelson's Pumping Unit Service, Inc.

PER CURIAM.

Opinion filed June 6, 2019 In The Eleventh Court of Appeals _____ No. 11-19-00012-CV _____ SIANA OIL AND GAS, Appellant V. TIM SNELSON’S PUMPING UNIT SERVICE, INC., Appellee On Appeal from the County Court at Law Midland County, Texas Trial Court Cause No. CC20132

MEMORANDUM OPINION

Appellant, Siana Oil and Gas, has filed in this court a motion to dismiss this appeal with prejudice. Appellant states in the motion that it has settled all issues with Appellee and no longer wishes to pursue its claims in this cause. Appellant indicates in the motion that all costs shall be borne by the party incurring same. See TEX. R. APP. P. 42.1(d). In accordance with Appellant’s request, we dismiss this appeal. See TEX. R. APP. P. 42.1(a)(1). The motion to dismiss with prejudice is granted, and the appeal is dismissed.

PER CURIAM

June 6, 2019 Panel consists of: Bailey, C.J., Stretcher, J., and Wright, S.C.J.1 Willson, J., not participating. 1 Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas at Eastland, sitting by assignment. 2

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