

COURT OF APPEALS OF TEXAS, FIRST DISTRICT

Maryanne Phillips v. Starwood Waypoint TRS LLC

Phillips · No. 01-16-00778-CV · Decided December 22, 2016

OPINION

PER CURIAM.

Opinion issued December 22, 2016 In The Court of Appeals For The First District of Texas NO. 01-16-00778-CV MARYANNE PHILLIPS, Appellant V. STARWOOD WAYPOINT TRS LLC, Appellee On Appeal from the County Civil Court at Law No. 4 Harris County, Texas Trial Court Cause No. 1080615 MEMORANDUM OPINION Appellant has filed a “Motion for Nonsuit” that we construe as a motion to dismiss the appeal.

See TEX. R. APP. P. 42.1(a)(1). No other party has filed a notice of appeal and no opinion has issued. See id. 42.1(c). Further, although appellant failed to include a certificate of conference in her motion, appellant’s motion includes a certificate of service, more than ten days have passed since the motion was filed, and no party has responded to the motion.

See id. 10.1(a)(5), 10.3(a). Accordingly, we grant the motion and dismiss the appeal. See id. 42.1(a)(1). We dismiss all other pending motions as moot. PER CURIAM Panel consists of Chief Justice Radack and Justices Jennings and Bland. 2