

NO. 12-23-00267-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***BINH TRIEU AND ACF
PYROTECHNIC, INC.,
APPELLANTS***

§ *APPEAL FROM THE 114TH*

V.

§ *JUDICIAL DISTRICT COURT*

***GELLYBALL, LLC, WENDEL C.
WEGER, TYLER CLAY WEGER AND
GELLYBALL ARENAS, LLC,
APPELLEES***

§ *SMITH COUNTY, TEXAS*

***MEMORANDUM OPINION
PER CURIAM***

Appellants Binh Trieu and ACF Pyrotechnic, Inc. filed a stipulation of dismissal, in which they state that they no longer desire to pursue the appeal. The motion to dismiss is ***granted***, and the appeal is ***dismissed***. See TEX. R. APP. P. 42.1(a). Costs are taxed against the party incurring same.

Opinion delivered November 8, 2023.

Panel consisted of Worthen, C.J., Hoyle, J., and Neeley, J.



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

NOVEMBER 8, 2023

NO. 12-23-00267-CV

BINH TRIEU AND ACF PYROTECHNIC, INC.,

Appellants

V.

GELLYBALL, LLC, WENDEL C. WEGER, TYLER CLAY WEGER AND

GELLYBALL ARENAS, LLC,

Appellees

Appeal from the 114th District Court
of Smith County, Texas (Tr.Ct.No. 21-2963-B)

THIS CAUSE came on to be heard on the stipulation of dismissal filed by the Appellants, and the same being considered, it is hereby ORDERED, ADJUDGED and DECREED by this Court that the motion to dismiss be **granted** and the appeal be **dismissed**, and that the decision be certified to the court below for observance. Costs are taxed against the party incurring same.

By *per curiam* opinion.

Panel consisted of Worthen, C.J., Hoyle, J. and Neeley, J.