

**Dismissed and Memorandum Opinion filed December 3, 2009.**



**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-09-00949-CV**

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**GORDON A. STAMPER, Appellant**

**V.**

**MOSH HOLDINGS LP, Appellee**

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**On Appeal from the 334th District Court  
Harris County, Texas  
Trial Court Cause No. 2006-01984**

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**MEMORANDUM OPINION**

This is an appeal from a judgment signed September 14, 2009. Appellant's notice of appeal was not filed until November 3, 2009. On November 20, 2009, appellee filed a motion to dismiss the appeal for want of jurisdiction. On November 25, 2009, appellant noted his agreement with the motion and filed a voluntary motion to dismiss his appeal. *See* Tex. R. App. P. 42.1. We deny appellee's motion as moot, and grant appellant's motion.

Accordingly, the appeal is ordered dismissed and the court's mandate shall issue immediately.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Anderson and Seymore.