

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>MAY 29 2003</b> </div> CLERK, U.S. DISTRICT COURT BY _____ DEPUTY
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EMPACADORA DE CARNES DE §  
FRESNILLO, S.A. DE C.V., §  
ET AL. §

VS. § CIVIL ACTION NO. 4:02-CV-804-Y

TIM CURRY, District Attorney, §  
Tarrant County, Texas, ET AL. §

ORDER GRANTING PLAINTIFF'S MOTION FOR RELIEF FROM  
ORDER DISMISSING DEFENDANT WALTON AND  
VACATING ORDER GRANTING WALTON'S MOTION TO DISMISS

Pending before the Court is plaintiff Dallas Crown's Motion for Relief From Order Dismissing Defendant Ed Walton [doc. # 76-1], filed April 28, 2003. In the motion, Dallas Crown requests relief from the Court's April 22, 2003, order that dismissed all the plaintiffs' claims against Walton. Dallas Crown seeks such relief because in the Court's order the Court stated that the plaintiffs wholly failed to file a response to Walton's Motion to Dismiss and Dallas Crown did file such a response.

Based on the foregoing, it is ORDERED that Dallas Crown's Motion for Relief From Order Dismissing Defendant Ed Walton [doc. # 76-1] is GRANTED.

It is further ORDERED that the Court's April 22, 2003 Order Granting Defendant Ed Walton's Motion to Dismiss [doc. # 74-1] is VACATED. An Amended Order Granting Defendant Ed Walton's Motion to Dismiss will be issued this same day.

SIGNED May 29, 2003.

  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE

TRM/knv

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Tarrant County, Texas, ET AL. §

CIVIL ACTION NO. 4:02-CV-804-Y

AMENDED ORDER GRANTING DEFENDANT ED WALTON'S MOTION TO DISMISS

Pending before the Court is defendant Ed Walton's Motion to Dismiss [doc. # 65-1], filed March 24, 2003. Having carefully considered the motion and the response, the Court concludes that the motion should be GRANTED for the reasons stated in Walton's motion and corresponding brief.

Therefore, it is ORDERED that Walton's Motion to Dismiss [doc. # 65-1] is GRANTED. All claims against Walton in the above-styled and numbered cause are DISMISSED WITHOUT PREJUDICE.

SIGNED May 29, 2003.

Terry R. Means  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE

TRM/knv