

DISMISS; and Opinion Filed May 25, 2017.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-17-00483-CV

**HECTOR REYES, Appellant
V.
MARIA D. REYES, Appellee**

**On Appeal from the 256th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-16-11162**

MEMORANDUM OPINION

Before Justices Francis, Brown, and Schenck
Opinion by Justice Schenck

Before the Court is the May 18, 2017 “Appellee’s Motion to Dismiss for Mootness.” Despite the motion’s title, the body of the motion states, in part, “I Hector Reyes would like for the Court to dismiss my appeal.” The motion is signed by pro se appellant. Our records reflect that appellee is represented by counsel. Therefore, we construe the motion as a voluntary motion to dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1). In the motion, appellant states he no longer wishes to pursue the appeal and asks that we grant him judgment for costs.

We grant the motion to the extent we dismiss the appeal. TEX. R. APP. P. 42.1(a)(1).

/David J. Schenck/
DAVID J. SCHENCK
JUSTICE



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

HECTOR REYES, Appellant

No. 05-17-00483-CV V.

MARIA D. REYES, Appellee

On Appeal from the 256th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DF-16-11162.

Opinion delivered by Justice Schenck,

Justices Francis and Brown participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

Subject to any agreement between the parties, it is **ORDERED** that appellee MARIA D. REYES recover her costs of this appeal, if any, from appellant HECTOR REYES.

Judgment entered this 25th day of May, 2017.