



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-13-00004-CV

CLEAR CREEK ENERGY, LLC,
Appellant

v.

Kent **SCHWARTZ** and Daina Schwartz,
Appellees

From the 81st Judicial District Court, Atascosa County, Texas
Trial Court No. 10-04-0253-CVA
Honorable Stella Saxon, Judge Presiding

PER CURIAM

Sitting: Marialyn Barnard, Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: June 26, 2013

MOTION TO DISMISS GRANTED; APPEAL DISMISSED

Appellant filed a motion to dismiss this appeal with each party bearing its own costs. Appellant's counsel has certified that he has conferred with opposing counsel who does not oppose the motion. Accordingly, we grant the motion. *See* TEX. R. APP. P. 42.1(a)(1). All costs of appeal are taxed against the party who incurred them. *See* TEX. R. APP. P. 42.1(d).

PER CURIAM