



**In The  
Court of Appeals  
Seventh District of Texas at Amarillo**

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No. 07-13-00119-CV

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**CLARENDON SKILLED CARE, LTD. D/B/A COMMUNITY CARE CENTER OF  
CLARENDON, CCCJF, LLC AND COMMUNITY CARE MANAGEMENT SERVICES,  
LLC, APPELLANT**

**V.**

**JIMMIE TOSHA TURNEY, APPELLEE**

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**On Appeal from the 100th District Court  
Donley County, Texas  
Trial Court No. 6935, Honorable Stuart Messer, Presiding**

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**July 10, 2013**

**MEMORANDUM OPINION**

**Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.**

***ON MOTION TO DISMISS***

Appellants, Clarendon Skilled Care, Ltd., d/b/a Community Care Center of Clarendon, CCCJF, LLC and Community Care Management Services, LLC, filed a Motion to Dismiss Appeal on July 1, 2013. In the motion, they represent that the parties have agreed to the entry of a take-nothing judgment in the underlying cause and

appellants no longer desire to pursue an appeal. The motion further states that appellee does not oppose the motion.

Without passing on the merits of the case, the Motion to Dismiss Appeal is granted and the appeal is dismissed. TEX. R. APP. P. 42.1. The motion requests that each party bear their own costs incurred for the appeal, therefore we order that each party to the appeal bear their own costs. See TEX. R. APP. P. 42.1(d). Having dismissed the appeal at appellants' request, no motion for rehearing will be entertained and our mandate will issue forthwith.

Per Curiam