



NUMBER 13-07-00643-CV

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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INGRAM READYMIX, INC.,

Appellant,

v.

SOUTHERN CONTRACTING, INC.,  
STEVE D. CERVANTES, INDIVIDUALLY,  
AND CONTINENTAL CASUALTY COMPANY,

Appellees.

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On Appeal from the 319th District Court  
of Nueces County, Texas.

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**MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Yañez and Benavides  
Memorandum Opinion Per Curiam**

Appellant perfected an appeal from a judgment entered by the 319th District Court of Nueces County, Texas, in cause number 07-05189-00-0. Appellant has filed an

unopposed motion to dismiss the appeal. Appellant requests that this Court dismiss the appeal.

The Court, having considered the documents on file and appellant's unopposed motion to dismiss the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). Appellant's motion to dismiss is granted, and the appeal is hereby DISMISSED. Costs will be taxed against appellant. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith. Any pending motions are denied as moot.

PER CURIAM

Memorandum Opinion delivered and  
filed this the 6th day of August, 2009.