



NUMBER 13-08-00464-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

THE CITY OF TAFT, TEXAS,

Appellant,

v.

DOLORES "MOLLY" R. TOPPER,

Appellee.

**On appeal from the 156th District Court
of San Patricio County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Yañez and Hill¹
Memorandum Opinion Per Curiam**

Appellant perfected an appeal from a judgment entered by the 156th District Court of San Patricio County, Texas, in cause number S-07-5734CV-B. Appellant has filed an

¹Retired Justice John Hill assigned to this Court by the Chief Justice of the Supreme Court of Texas pursuant to the government code. See *TEX. GOV'T CODE ANN.* §74.003 (Vernon 2005).

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.

PER CURIAM

Memorandum Opinion delivered and
filed this the 31st day of August, 2009.