



**NUMBER 13-08-00540-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**RIVER RIDGE NURSING CENTER IN ITS  
ASSUMED OR COMMON NAME, ET AL.,**

**Appellants,**

**v.**

**GAYLYNNE NEMEC, INDIVIDUALLY,  
AS REPRESENTATIVE OF THE ESTATE  
OF CATHERINE PARKER, AS WRONGFUL  
DEATH BENEFICIARY OF CATHERINE  
PARKER, ET AL.,**

**Appellees.**

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**On appeal from the 214th District Court  
of Nueces County, Texas.**

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**MEMORANDUM OPINION**

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

Appellants, River Ridge Nursing Center in its assumed or common name, et. al., perfected an appeal from a judgment entered by the 214th District Court of Nueces County, Texas, in cause number 07-4563-F. Appellants have filed a motion to dismiss the appeal on grounds that it no longer desires to prosecute their suit against appellees. Appellants request that this Court dismiss the appeal.

The Court, having considered the documents on file and appellants' motion to dismiss the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). Appellants' motion to dismiss is granted, and the appeal is hereby DISMISSED. Costs will be taxed against appellants. 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 appellants' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Memorandum Opinion delivered and filed  
this the 15th day of January, 2009.