



NUMBER 13-09-00086-CV

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

---

KYLE G. STOCKTON, AS REPRESENTATIVE  
OF THE ESTATE OF MARGARET  
ELIZABETH BAILEY, DECEASED, Appellant,

v.

CHARLES M. MORGAN, JR. AND MARY P. MORGAN, Appellees.

---

On Appeal from the Probate Court  
of Hidalgo County, Texas.

---

**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 Probate Court of Hidalgo County, Texas, in cause number P-30,028-A. Appellant has filed an agreed motion to dismiss the appeal. Appellant requests that this Court dismiss the appeal.

The Court, having considered the documents on file and appellant's agreed 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 9th day of July, 2009.