



**NUMBER 13-09-00385-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN THE INTEREST OF K.G. and J.G., CHILDREN**

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**On appeal from the 284th District Court  
of Montgomery County, Texas.**

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**MEMORANDUM OPINION**

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

Appellant, Capone Gavarrete, perfected an appeal from a judgment entered by the 284th District Court of Montgomery County, Texas, in cause number 06-04-03247-CV. Appellant has filed a motion to dismiss the appeal on grounds that he no longer desires to prosecute the appeal. Appellant requests that this Court dismiss the appeal.

The Court, having considered the documents on file and appellant's 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 20th day of August, 2009.