



NUMBER 13-09-00559-CV

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

---

IN THE GUARDIANSHIP OF CARMEN DEL FIERRO DE GARCIA, AN  
INCAPACITATED PERSON

---

On Appeal from the County Court at Law No. 1  
of Cameron County, Texas.

---

**MEMORANDUM OPINION**

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

Appellant, Armando Garcia, Jr., perfected an appeal from a judgment entered by the County Court at Law No. 1 of Cameron County, Texas, in cause number 2009-CGC-57-A. On February 3, 2010, appellant informed the Clerk of the Court that the ward in this case, Carmen del Fierro de Garcia, had died and that there was no need to continue with the guardianship that formed the basis of this appeal. Appellee has filed an

unopposed motion to dismiss the appeal on the basis that the appeal is moot. Appellee requests that this Court dismiss the appeal.

The Court, having considered the documents on file and appellee'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). Appellee'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.").

PER CURIAM

Delivered and filed the  
4th day of March, 2010.