



NUMBER 13-09-00562-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

OASIS, A TEXAS GENERAL PARTNERSHIP,

Appellant,

v.

WILLIAM P. SAGE,

Appellee.

On appeal from the 135th District Court of Victoria County, Texas.

MEMORANDUM OPINION

**Before Justices Yañez and Benavides and Vela
Memorandum Opinion Per Curiam**

Appellant, Oasis, a Texas General Partnership, perfected an appeal from a judgment entered by the 135th District Court of Victoria County, Texas, in cause number 05-5-62,750-B. Appellant has filed a motion to dismiss the appeal on grounds that the parties have settled all controversies and the judgment the subject of appellant's notice of

appeal has now been set aside by the trial court. 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 12th day of November, 2009.