



NUMBER 13-09-00708-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

MARTHA MCENTIRE,

APPELLANT,

v.

FIA CARD SERVICE, N.A., FORMERLY
KNOWN AS, BANK OF AMERICA, N.A.,

APPELLEE.

On Appeal from the County Court
of Matagorda County, Texas.

MEMORANDUM OPINION

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

Appellant, Martha McEntire, perfected an appeal from a judgment entered by the County Court of Matagorda County, Texas, in cause number 6158. The parties have filed a joint motion for nonsuit on grounds that the appellant no longer desires to prosecute this appeal and the parties have entered into an agreement.

The Court, having considered the documents on file and the parties' joint motion for nonsuit, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). The joint motion for nonsuit 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 the parties' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Delivered and filed the 11th
day of February, 2010.