



NUMBER 13-10-00458-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

PAGEL DAVIS & HILL, P.C.,

Appellant,

v.

McALLEN CONSTRUCTION, INC.,

Appellee.

On appeal from the County Court at Law No. 2
of Hidalgo County, Texas.

MEMORANDUM OPINION

Before Justices Yañez, Garza, and Benavides
Memorandum Opinion Per Curiam

Appellant, Pagel Davis & Hill, P.C., perfected an appeal from a judgment entered by the County Court at Law No. 2 of Hidalgo County, Texas, in cause number CL-06-3135-B. The parties have filed a joint motion to dismiss on grounds the parties have agreed to modify the trial court's order. The parties request that this Court dismiss this case.

The Court, having considered the documents on file and the joint motion to dismiss, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). The joint motion to dismiss is granted, and the appeal is hereby DISMISSED. In accordance with the agreement of the parties, costs are taxed against the party incurring same. 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
30th day of September, 2010.