



NUMBER 13-18-00127-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN THE INTEREST OF E. A., H. A. AND Z. A., MINOR CHILDREN

**On appeal from the 214th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Rodriguez, Contreras, and Hinojosa
Memorandum Opinion by Justice Rodriguez**

This appeal was abated by this Court on April 23, 2018, to determine whether appellant is indigent, entitled to a free appellate record, and entitled to appointed counsel. This cause is now before the Court on appellant's motion to dismiss the appeal without prejudice. The certificate of conference reflects appellee did not respond to the message regarding the motion. More than ten days has passed since the filing of the motion and no response has been filed by appellee. Appellant requests that this Court dismiss the appeal without prejudice. Accordingly, this case is hereby REINSTATED.

The Court, having considered the documents on file and appellant's motion to dismiss the appeal without prejudice, 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 WITHOUT PREJUDICE. Appellant's motion to appoint an attorney, which was previously carried with the case, is likewise DISMISSED WITHOUT PREJUDICE. Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

NELDA V. RODRIGUEZ
Justice

Delivered and filed the
7th day of June, 2018.