



NUMBER 13-23-00514-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

ALEX PARDO,

Appellant,

v.

JOSE ALBERTO RODRIGUEZ,

Appellee.

**On appeal from the 288th District Court
of Bexar County, Texas.**

MEMORANDUM OPINION

**Before Justices Longoria, Silva, and Peña
Memorandum Opinion by Justice Peña**

This matter is before the Court on appellant's unopposed motion to dismiss appeal.¹ After this appeal was perfected, the trial court granted a motion for new trial and set aside the appealed judgment.

¹ This case is before the Court on transfer from the Fourth Court of Appeals pursuant to a docket equalization order issued by the Supreme Court of Texas. See TEX. GOV'T CODE ANN. § 73.001.

The Court, having considered the unopposed motion to dismiss appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a)(1). Therefore, the motion to dismiss is GRANTED, and the appeal is hereby dismissed. Costs will be taxed against the appellant. See *id.* R. 42.1(d) (“Absent agreement of the parties, the court will tax costs against the appellant.”). Because the appeal is dismissed at appellant’s request, no motion for rehearing will be entertained.

L. ARON PEÑA JR.
Justice

Delivered and filed on the
4th day of January, 2024.