

DISMISS; and Opinion Filed December 3, 2013.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-13-00791-CV

**CITY OF DALLAS, Appellant
V.
THE DALLAS MORNING NEWS, L.P., Appellee**

**On Appeal from the 191st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-06-06607-J**

MEMORANDUM OPINION

**Before Justices Francis, Lang-Miers, and Lewis
Opinion by Justice Lang-Miers**

The Court has before it appellant's November 8, 2013 unopposed motion to dismiss the appeal. In the motion, appellant states that appellee filed a notice of nonsuit of the entire case in the trial court. On October 1, 2013, the trial court dismissed the case pursuant to the notice of nonsuit. Accordingly, we grant the motion and dismiss the appeal. *See* Tex. R. App. P. 42.1(a)(1).

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

CITY OF DALLAS, Appellant

No. 05-13-00791-CV V.

THE DALLAS MORNING NEWS, L.P.,
Appellee

On Appeal from the 191st Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DC-06-06607-J.

Opinion delivered by Justice Lang-Miers,
Justices Francis and Lewis participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal. We **ORDER** that each party bear its own costs of the appeal.

Judgment entered this 3rd day of December, 2013.

/Elizabeth Lang-Miers/

ELIZABETH LANG-MIERS

JUSTICE