

Dismissed and Opinion Filed December 9, 2016



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

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No. 05-16-01071-CV

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**BRANDON S. WALTERS, Appellant**  
**V.**  
**AMBER WALTERS, Appellee**

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**On Appeal from the 303rd Judicial District Court**  
**Dallas County, Texas**  
**Trial Court Cause No. DF-13-10186**

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**MEMORANDUM OPINION**

Before Chief Justice Wright, Justice Lang-Miers, and Justice Stoddart  
Opinion by Chief Justice Wright

Appellant's December 1, 2016 motion to dismiss the interlocutory appeal is **GRANTED**.

In the motion, appellant requests that "the Court tax costs of the appeal against the party or parties incurring the same." Nowhere in the motion to dismiss does it indicate that the parties have reached an agreement regarding costs. Appellee did not sign the motion to dismiss. Accordingly, we will order appellant to bear the costs of the appeal. *See* TEX. R. APP. P. 42.1(d).

We **DISMISS** this appeal. *See* TEX. R. APP. P. 42.1(a)(1).

/Carolyn Wright/  
CAROLYN WRIGHT  
CHIEF JUSTICE



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

**JUDGMENT**

BRANDON S. WALTERS, Appellant

No. 05-16-01071-CV      V.

AMBER WALTERS, Appellee

On Appeal from the 303rd Judicial District  
Court, Dallas County, Texas

Trial Court Cause No. DF-13-10186.

Opinion delivered by Chief Justice Wright.

Justices Lang-Miers and Stoddart  
participating.

In accordance with this Court's opinion of this date, we **DISMISS** this appeal.

We **ORDER** that appellee AMBER WALTERS recover her costs of this appeal from appellant BRANDON S. WALTERS.

Judgment entered December 9, 2016.