



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-00406-CV

MIRA KIM A/K/A MIRA YU, Appellant
V.
SABRA MANCHAC AND TROY MANCHAC, Appellees

On Appeal from the 134th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-16-16400

MEMORANDUM OPINION

Before Justices Francis, Evans, and Boatright
Opinion by Justice Francis

Mira Kim a/k/a Mira Yu appeals the trial court’s order dismissing her defamation lawsuit against appellees Sabra Manchac, and Troy Manchac under chapter 27 of the Texas Civil Practice and Remedies Code. In her first issue, Kim asserts we must reverse because the trial court granted the dismissal forty-two days after the hearing on appellees’ motion to dismiss, which is outside the time allowed by statute. *See Dallas Morning News, Inc. v. Mapp*, No. 05-14-00848-CV, 2015 WL 3932868, at *3 (Tex. App.—Dallas June 26, 2015, no pet.) (mem. op.) (concluding trial court has no authority to grant motion to dismiss under Act more than thirty days after hearing). In their letter brief, appellees agree and “consent” to reversal and remand of the case. Accordingly, we sustain the first issue, making it unnecessary to address Kim’s remaining issues. *See* TEX. R. APP. P. 47.1

We reverse the trial court's order of dismissal and remand for further proceedings consistent with this opinion.

/Molly Francis/
MOLLY FRANCIS
JUSTICE

170406F.P05



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

JUDGMENT

MIRA KIM A/K/A MIRA YU, Appellant

No. 05-17-00406-CV V.

SABRA MANCHAC and TROY
MANCHAC, Appellees

On Appeal from the 134th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DC-16-16400.

Opinion delivered by Justice Francis;

Justices Evans and Boatright participating.

In accordance with this Court's opinion of this date, the trial court's order of dismissal is **REVERSED** and this cause is **REMANDED** to the trial court for further proceedings consistent with this opinion.

It is **ORDERED** that appellant MIRA KIM A/K/A MIRA YU recover her costs of this appeal from appellee SABRA MANCHAC and TROY MANCHAC.

Judgment entered January 26, 2018.