

Opinion issued September 10, 2020



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00563-CV

**APRIL SMALL, INDIVIDUALLY AND ON BEHALF OF HER MINOR
CHILD, E.C., Appellant**

V.

CRUZ ZAPATA AND MARIO GARCIA, Appellees

**On Appeal from the 157th District Court
Harris County, Texas
Trial Court Case No. 2017-03838**

MEMORANDUM OPINION

Appellant, April Small, individually and on behalf of her minor child, E.C., has filed a request with this Court stating that she “desires to withdraw this appeal.” We construe appellant’s request as a motion to dismiss the appeal. *See* TEX. R. APP. P. 42.1(a). No other party has filed a notice of appeal, and no opinion has issued.

See TEX. R. APP. P. 42.1(a), (c). Further, although the motion does not include a certificate of conference, more than ten days have passed and no party has responded to the motion. *See* TEX. R. APP. P. 10.1(a)(5), 10.3(a).

Accordingly, we grant appellant's motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a), 43.2(f). We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Hightower and Adams.