

**Motion Granted, Appeal Dismissed, and Memorandum Opinion filed
September 26, 2023.**



In The

Fourteenth Court of Appeals

NO. 14-23-00140-CV

VALERIE DANIELS, Appellant

V.

ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC., Appellee

**On Appeal from the 281st District Court
Harris County, Texas
Trial Court Cause No. 2021-18513-A**

MEMORANDUM OPINION

This is an appeal from an judgment signed January 26, 2023. On September 19, 2023, appellant filed an unopposed motion to dismiss the appeal “with prejudice.” The Texas Rules of Appellate Procedure speak only of dismissal of an appeal; neither “with prejudice” nor “without prejudice” is appended to the word “dismissal.” *See* Tex. R. App. P. 42.1. We construe the motion as one for voluntary dismissal under Texas Rule of Appellate Procedure 42.1(a)(1). So

construed, the motion is granted, and the appeal is dismissed.

PER CURIAM

Panel consists of Justices Wise, Zimmerer, and Poissant.