

Court of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-07-00468-CV

Sondra L. **GROHMAN-KAHLIG**,
Appellant

v.

Clarence J. **KAHLIG, II**,
Appellee

From the 131st Judicial District Court, Bexar County, Texas
Trial Court No. 2005-CI-13102
Honorable John D. Gabriel, Jr., Judge Presiding

PER CURIAM

Sitting: Alma L. López, Retired Chief Justice¹
Phylis J. Speedlin, Justice
Rebecca Simmons, Justice

Delivered and Filed: February 16, 2011

DISMISSED

This appeal is on remand from the Texas Supreme Court. The sole issue remaining in the appeal on remand is “whether [appellee] is entitled to attorney’s fees.” *Grohman v. Kahlig*, 318 S.W.3d 882, 889 (Tex. 2010). Appellee filed a motion to dismiss the appeal stating, “The parties have reached an agreement with respect to the attorney’s fees that were awarded in the trial court’s judgment.” Appellant’s attorney filed an advisory in response to the motion, stating that

¹ Retired Chief Justice Alma L. López not participating.

he had been unable to reach appellant and requesting additional time to respond. Appellant's attorney stated, "It is anticipated that the undersigned will speak with [appellant] by no later than January 21, 2011." This court granted appellant an extension of time to file a response and ordered the response to be filed by January 28, 2011. No response has been filed, and appellant's attorney has verbally informed the court that he has been unable to speak with his client. Based on the representations made by appellee in his motion, the motion to dismiss is granted, and this appeal is dismissed.

PER CURIAM