

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



MEMORANDUM OPINION

No. 04-08-00441-CV

IN RE MCALLEN MEDICAL CENTER

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Alma L. López, Chief Justice
Catherine Stone, Justice
Karen Angelini, Justice

Delivered and Filed: September 17, 2008

PETITION FOR WRIT OF MANDAMUS DISMISSED

On August 22, 2008, Relator filed an agreed motion to dismiss this mandamus petition without prejudice. Prior to the agreed motion, on August 6, 2008, the Real Parties in Interest filed a Notice of Settlement, advising this Court that the parties have resolved the case. The agreed motion states the parties have reached a settlement agreement and no longer desire to litigate any issue presented. We grant the motion and dismiss relator's petition for mandamus without prejudice.

See TEX. R. APP. P. 42.1(a)(1).

PER CURIAM

¹This proceeding arises out of Cause No. DC-03-180, styled *Emilia Saenz, et al v. Starr County Memorial Hosp., et al.*, pending in the 229th Judicial District Court, Starr County, Texas, the Honorable Alex W. Gabert presiding.