

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



**MEMORANDUM OPINION**

No. 04-09-00799-CV

**INNOVATIVE CONTROL SYSTEMS, INC.,**  
Appellant

v.

**JALIN, LTD.** d/b/a My Car Wash,  
Appellee

From the 408th Judicial District Court, Bexar County, Texas  
Trial Court No. 2008-CI-00774  
Honorable Solomon Casseb, III, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Steven C. Hilbig, Justice  
Marialyn Barnard, Justice

Delivered and Filed: May 5, 2010

MOTION TO DISMISS GRANTED; DISMISSED

Appellee filed a motion to dismiss this appeal, and appellant filed a response indicating its agreement with the motion. Accordingly, we grant the motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1). Because the motion does not disclose an agreement of the parties regarding the assessment of costs, we order all costs assessed against appellant. *See* TEX. R. APP. P. 42.1(d)(absent agreement of the parties, costs are taxed against appellant).

PER CURIAM