

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



**MEMORANDUM OPINION**

No. 04-10-00557-CV

Kevin T. **CLAYTON**,  
Appellant

v.

Jesus **LEMUS**,  
Appellee

From the 229th Judicial District Court, Duval County, Texas  
Trial Court No. DC-10-34  
Honorable Alex William Gabert, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Karen Angelini, Justice  
Santee Bryan Marion, Justice

Delivered and Filed: December 15, 2010

DISMISSED

Appellant has filed an unopposed motion to dismiss this appeal. The motion states that counsel for appellee is unopposed to the motion. Therefore, we grant the motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1). Costs of the appeal are taxed against appellant.

PER CURIAM