



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-13-00559-CV

HILL COUNTRY-SAN ANTONIO MANAGEMENT SERVICES, INC.
a.k.a. Hill Country Achievement,
Appellant

v.

Rachel **TREJO** as next friend of Rene Trejo,
Appellee

From the 225th Judicial District Court, Bexar County, Texas
Trial Court No. 2012-CI-20045
Honorable Peter A. Sakai, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: December 3, 2014

DISMISSED

On February 12, 2014, this court issued an opinion affirming the trial court's order dated August 5, 2013. On February 27, 2014, Appellant filed a motion for en banc reconsideration and this court requested Appellee file a response to Appellant's motion.

On July 22, 2014, Appellant filed an unopposed motion to dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1). Three days later, the Texas Supreme Court granted Appellant's motion to dismiss the petition for review. Appellee did not file a response to the en banc motion.

On September 23, 2014, we ordered Appellant to clarify whether the July 22, 2014 motion to dismiss sought (1) a dismissal of the motion for en banc reconsideration or (2) this court to withdraw the court's opinion dated February 12, 2014. *See* TEX. R. APP. P. 42.1(c).

On October 3, 2014, Appellant clarified its request seeking this court withdraw its February 12, 2014 opinion. Appellee's subsequent response strongly opposed the withdrawal of the court's opinion.

Appellant's request to withdraw this court's February 12, 2014 opinion is denied. Appellant's request to dismiss this appeal is granted and this appeal is dismissed.

PER CURIAM