



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-21-00405-CV

SAN ANTONIO INDEPENDENT SCHOOL DISTRICT and Pedro Martinez,
in his official capacity,
Appellants

v.

The **STATE** of Texas,
Appellee

From the 45th Judicial District Court, Bexar County, Texas
Trial Court No. 2021-CI-19115
Honorable Angelica Jimenez, Judge Presiding

PER CURIAM

Sitting: Luz Elena D. Chapa, Justice
Irene Rios Justice
Beth Watkins, Justice

Delivered and Filed: September 29, 2021

MOTION TO DISMISS GRANTED; DISMISSED

On September 23, 2021, appellants filed this interlocutory appeal of the trial court's order denying their plea to the jurisdiction. On September 24, appellee filed an emergency motion for a temporary order. On September 28, appellants filed an unopposed motion to dismiss this appeal without prejudice to later seeking review of the trial court's ruling on jurisdiction. Appellants state the motion is unopposed and further request, with the State's agreement, that the mandate issue immediately so that proceedings in the trial court may continue. Finally, the motion states the parties agree costs should be assessed against the party that incurred them.

We grant the motion, dismiss the State's emergency motion for temporary order, and dismiss this appeal without prejudice. Costs shall be assessed against the party that incurred them and the Clerk of this court shall be ordered to issue the mandate immediately. *See* TEX. R. APP. P. 18.1(c).

PER CURIAM