



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 02-16-00149-CV**

MARGARET KINSLEY,  
INDIVIDUALLY AND ON BEHALF  
OF LADDIE FRANCES KINSLEY,  
DECEASED

APPELLANT

V.

CARTWRIGHT'S RANCH HOUSE,  
LLC AND JOHN CLAYTON  
CARTWRIGHT

APPELLEES

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FROM THE 442ND DISTRICT COURT OF DENTON COUNTY  
TRIAL COURT NO. 2013-71549-431  
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**SUPPLEMENTAL MEMORANDUM OPINION<sup>1</sup> AND JUDGMENT**

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We issued an opinion in this case on April 6, 2017, affirming the trial court's judgment on the jury's verdict. No motion for rehearing was filed. On April 25, 2017, Appellant filed an unopposed motion to dismiss the appeal and

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<sup>1</sup>See Tex. R. App. P. 47.4.

requested that we assess the costs of court to the party incurring the same. See Tex. R. App. P. 42.1(a)(1), (d).

We grant the unopposed motion to dismiss, and we vacate our April 6, 2017 judgment; dismiss the appeal; and order the parties to bear their own costs of appeal. The parties have not requested that we withdraw our April 6, 2017 opinion, and we do not do so. See Tex. R. App. P. 42.1(c) (“In dismissing a proceeding, the appellate court will determine whether to withdraw any opinion it has already issued. An agreement or motion for dismissal cannot be conditioned on withdrawal of the opinion.”).

PER CURIAM

PANEL: WALKER, MEIER, and SUDDERTH, JJ.

DELIVERED: May 11, 2017