



NUMBER 13-07-476-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

ROBERT GAVLIK,

Appellant,

v.

RAYMOND BYRD,

Appellee.

On appeal from the 214th District Court of Nueces County, Texas.

MEMORANDUM OPINION

**Before Justices Yañez, Benavides, and Vela
Memorandum Opinion Per Curiam**

Appellant, Robert Gavlik, and appellee, Raymond Byrd, have filed a joint motion for dismissal of this appeal. According to the joint motion, the parties have mutually resolved all matters in controversy between them and have agreed that this cause should be dismissed with prejudice.

The Court, having considered the documents on file and the joint motion to dismiss the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). The joint motion to dismiss is GRANTED, and the appeal is hereby DISMISSED. By agreement of the parties, costs will be taxed against the party incurring same. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant.").

PER CURIAM

Memorandum Opinion delivered and
filed this the 19th day of June, 2008.