



NUMBER 13-08-000017-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

DANIEL TIMMS,

Appellant,

v.

**J & C ADVENTURES, INC. D/B/A ALL
SEASONS POOLS, SPAS, AND PATIOS,**

Appellee.

On appeal from the 172nd District Court of Jefferson County, Texas.

MEMORANDUM OPINION

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

Appellant, Daniel Timms, perfected an appeal from a judgment entered by the 172nd District Court of Jefferson County, Texas, in cause number E-175,341. Appellant has filed an unopposed motion to dismiss the appeal on grounds that he no longer desires to pursue his right to appeal.

The Court, having considered the documents on file and appellant's unopposed motion to dismiss the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). Appellant's motion to dismiss is granted, and the appeal is hereby DISMISSED. Costs will be taxed against appellant. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Memorandum Opinion delivered and
filed this the 26th day of June, 2008.