



NUMBER 13-08-00411-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE: EDUARDO RODRIGUEZ

On Petition for Writ of Mandamus

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Garza and Vela
Memorandum Opinion Per Curiam**

Relator, Eduardo Rodriguez, filed a petition for writ of mandamus with this Court on June 26, 2008. The Court ordered the real parties in interest, Juan Guajardo, Jr., Individually, and J. Guajardo, Jr. Farms, Inc., to file a response to relator's petition for writ of mandamus on or before the expiration of ten days from the date of the order. See TEX. R. APP. P. 52.8(b). Such response was duly filed.

Relator has now filed a motion to dismiss the petition for writ of mandamus. The Court, having examined and fully considered the motion to dismiss, is of the opinion that

said motion should be granted. Accordingly, the motion to dismiss is hereby GRANTED and this original proceeding is DISMISSED without reference to the merits.

PER CURIAM

Valdez, C.J., not participating.

Memorandum Opinion delivered and
filed this the 21th day of November, 2008.
