



**NUMBER 13-08-00680-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN THE MATTER OF THE ESTATE OF MARY LOUISE SWANTNER  
CARTER, DECEASED**

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**On appeal from the County Court at Law No. 2  
of Nueces County, Texas.**

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**MEMORANDUM OPINION**

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

Appellant perfected an appeal from a judgment entered by the County Court at Law No. 2 of Nueces County, Texas, in cause number 45579-2. Appellee has filed an unopposed motion to dismiss the appeal. Appellee moves to dismiss the appeal for want of prosecution and because it is moot. Appellee requests that this Court dismiss the appeal.

The Court, having considered the documents on file and appellee'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). Appellee'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 appellee's unopposed 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 March, 2009.