



NUMBER 13-10-00404-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

OCEAN TOWER, L.P.,

Appellant,

v.

**DATUM ENGINEERS, INC. F/K/A
DATUM ENGINEERING, INC.,**

Appellee.

**On appeal from the 357th District Court
of Cameron County, Texas.**

MEMORANDUM OPINION

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

Appellant perfected an appeal from a judgment entered by the 357th District Court of Cameron County, Texas, in cause number 2008-06-3619-E. Appellant has filed an unopposed motion to dismiss the appeal on grounds that appellant no longer intends to pursue the subject appeal. Appellant requests that this Court dismiss the 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

Delivered and filed the
31st day of August, 2010.