



**NUMBER 13-11-00022-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**DISCOVER BANK,**

**Appellant,**

**v.**

**ROSALINDA G. SALDIVAR,**

**Appellee.**

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

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**MEMORANDUM OPINION**

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

This appeal was abated by this Court on January 31, 2011, and the parties were ordered to mediation. This cause is now before the Court on appellant's unopposed motion to dismiss the appeal on grounds that appellant no longer wishes to pursue this appeal. Appellant requests that this Court dismiss the appeal. Accordingly, this case is hereby REINSTATED.

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. In accordance with the agreement of the parties, costs are 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."). Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith. Any pending motions are dismissed as moot.

PER CURIAM

Delivered and filed the  
7th day of July, 2011.