



NUMBER 13-11-00565-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

DEL MAR COLLEGE DISTRICT,

Appellant,

v.

MCGLOIN AND SWEEN,

Appellee.

**On Appeal from the County Court at Law No. 4
of Nueces County, Texas.**

MEMORANDUM OPINION

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

Appellant, Del Mar College District, perfected an appeal from a judgment entered by the County Court at Law No. 4 of Nueces County, Texas, in cause number 09-61877-4. The parties have filed an agreed motion to dismiss the appeal on grounds that appellant no longer desires to pursue this appeal. The parties request that this Court dismiss the appeal.

The Court, having considered the documents on file and the agreed motion to dismiss the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). The agreed 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 the parties' 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
22nd day of November, 2011.