



NUMBER 13-11-00744-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

BNP OIL AND GAS PROPERTIES, LTD.,

Appellant,

v.

**TOBY SHOR AND
SEASHORE INVESTMENTS MANAGEMENT TRUST,**

Appellees.

**On appeal from the County Court at Law No. 3
of Nueces County, Texas.**

MEMORANDUM OPINION

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

BNP Oil and Gas Properties, Ltd., perfected an appeal from a judgment entered in trial court cause number 09-60343-3 by the County Court at Law No. 3 of Nueces County, Texas. This appeal was originally docketed in appellate cause 13-11-00413-CV. In that cause, appellant filed a motion to voluntarily dismiss the appeal. By order, the Court

granted the motion and ordered the appeal of BNP Oil and Gas Properties, Ltd. to be severed and placed in this cause for disposition. See TEX. R. APP. P. 42.1(a).

The Court, having considered the documents on file and BNP Oil and Gas Properties, Ltd.'s motion to voluntarily dismiss the appeal, is of the opinion that the motion should be granted. The motion to dismiss is granted, and the appeal is hereby DISMISSED. Costs will be taxed against appellant. See *id.* R. 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
1st day of December, 2011.