



NUMBER 13-12-00418-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

EWING CONSTRUCTION, CO., INC.,

APPELLANT,

v.

**WORLD ENVIRONMENTAL, LLC
AND MICHAEL ISHEE,**

APPELLEES.

**On Appeal from the 117th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

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

Appellant perfected an appeal from a judgment entered by the 117th District Court of Nueces County, Texas, in cause number 2011-DCV-3529-B. Appellant has filed an unopposed motion to dismiss the appeal on grounds that the parties have reached a settlement. 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
13th day of December, 2012.