



**NUMBER 13-11-00190-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**CLW 4 & 5, INC.,**

**APPELLANT,**

**v.**

**GRACEPOINT BUILDERS, LP,**

**APPELLEE.**

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**On Appeal from the 125th District Court  
of Harris County, Texas.**

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**MEMORANDUM OPINION**

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

Appellant filed an appeal from a judgment entered by the 125th District Court of Harris County, Texas, in cause number 2009-22395. Appellant has filed an unopposed motion to dismiss the appeal on grounds that the parties have reached an agreement to settle and compromise their differences. 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  
12th day of May, 2011.