



**NUMBER 13-10-00522-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**CHARLES WILLIAM FECHNER AND  
MARIE MAGDALENE FECHNER,**

**Appellants,**

**v.**

**MCCLAIN TRAILERS, INC.,**

**Appellee.**

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**On appeal from the 103rd District Court  
of Cameron County, Texas.**

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**MEMORANDUM OPINION**

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

Appellants, Charles William Fechner and Marie Magdalene Fechner, perfected an appeal from a judgment entered by the 103rd District Court of Cameron County, Texas, in cause number 2010-DCL-8069. The parties have filed a joint motion to dismiss appeal on grounds that the parties have resolved the underlying lawsuit and there is no need to

proceed with the appeal because the issues are moot. The parties request that this Court dismiss this case.

The Court, having considered the documents on file and the joint motion to dismiss, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). The joint motion to dismiss is granted, and the appeal is hereby DISMISSED. Costs will be taxed against appellants. 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.

PER CURIAM

Delivered and filed the  
19th day of May, 2011.