



NUMBER 13-11-00356-CV

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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CITY OF MCALLEN, TEXAS,

Appellant,

v.

MCALLEN POLICE OFFICERS UNION,

Appellee.

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On Appeal from the 93rd District Court  
of Hidalgo County, Texas.

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**MEMORANDUM OPINION**

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

Appellant, City of McAllen, Texas, filed an appeal from a judgment entered by the 93rd District Court of Hidalgo County, Texas, in cause number C-3039-10-B. Appellant has filed a motion to dismiss the appeal on grounds that appellees have filed a notice of nonsuit in the trial court which has been granted, rendering this appeal moot. Appellant requests that this Court dismiss the appeal.

The Court, having considered the documents on file and appellant's 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  
21st day of July, 2011.