



**NUMBER 13-16-00108-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**KENNETH HAHN & DORIS STEUBING,**

**APPELLANTS,**

**v.**

**WILLIAM PAUL GIPS, LUCILLE FAY GIPS,  
AND CONOCO PHILLIPS COMPANY,**

**APPELLEES.**

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**On appeal from the 267th District Court  
of DeWitt County, Texas.**

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**MEMORANDUM OPINION**

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

Appellant, Doris Steubing, has filed a voluntary motion to dismiss her appeal. Appellant Kenneth Hahn is unopposed to her motion, as is appellee Conoco Phillips Company. The record does not indicate whether or not appellees William Paul Gips or Lucille Fay Gips opposes Steubing's motion to dismiss. Steubing asserts that a partial

dismissal of her appeal will not prejudice Hahn's appeal or otherwise prevent any party from seeking relief to which that party would be entitled.

Texas Rule of Appellate Procedure 42.1 allows this Court to dismiss an appeal unless disposition would prevent a party from seeking relief to which it would otherwise be entitled. See TEX. R. APP. P. 42.1(a)(1). In addition, Rule 42.1 expressly allows for a severance on appeal to dispose of a severable portion of the proceeding if a severance will not prejudice the remaining parties. See *id.* R. 42.1(b). Thus, the Court, having considered the documents on file and Steubing's motion to dismiss her appeal, is of the opinion that the motion should be granted. See *id.* R. 42.1(a). Appellant Hahn's appeal is ordered SEVERED and will be docketed in this Court under cause number 13-16-00336-CV, and will proceed in due course. We GRANT Steubing's motion to dismiss her appeal and we DISMISS her appeal. Costs are taxed against Steubing. See *id.* R. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant.").

PER CURIAM

Delivered and filed the  
30th day of June, 2016.