



NUMBER 13-16-00271-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN THE INTEREST OF L.B., A CHILD

**On appeal from the County Court at Law No. 5
of Aransas County, Texas.**

MEMORANDUM OPINION

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

Appellants H.B. and E.B. filed an appeal from a judgment terminating their parental rights to L.B., a child.¹ This cause is before the Court on appellants' motion to dismiss the appeal as moot. Appellee has not filed a response to the motion to dismiss.

¹ In appeals from cases involving the termination of parental rights, the rules of appellate procedure require the use of an alias to refer to a minor, and "if necessary to protect the minor's identity, to the minor's parent or other family member." TEX. R. APP. P. 9.8(b); *see also* TEX. FAM. CODE ANN. § 109.002(d) (West, Westlaw through 2015 R.S.) ("On the motion of the parties or on the court's own motion, the appellate court in its opinion may identify the parties by fictitious names or by their initials only.").

The trial court signed a judgment terminating appellants' parental rights on April 27, 2016. Appellants filed a notice of appeal on May 16, 2016. The trial court subsequently granted appellants' timely motion for new trial on July 8, 2016, while it still had plenary jurisdiction over the case. See TEX. R. CIV. P. 329b (c), (e).

The Court, having considered the documents on file and appellants' motion to dismiss the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). Appellants' motion to dismiss is granted, and the appeal is hereby DISMISSED as moot. 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 appellants' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Delivered and filed the
21st day of July, 2016.