



NUMBER 13-19-00115-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**HANS W. KIRCHER AND LORING T.
KIRCHER,**

Appellants,

v.

DEAN PIPELINE COMPANY, INC.,

Appellee.

**On appeal from the County Court at Law No. 1
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Benavides and Hinojosa
Memorandum Opinion by Justice Hinojosa**

This cause is before the Court on appellants' motion to dismiss appeal for lack of jurisdiction. Appellants filed an "Appeal from Commissioners' Findings and Eminent Domain Proceeding" with the County Court at Law Number 1 of Nueces County on March 18, 2019. Appellants state they have not filed a notice of appeal or other pleading to

invoke the jurisdiction of this Court and no final judgment has been entered. It appears the pleading was erroneously forwarded by the District Clerk as an appeal to this Court. Appellants request this appeal be dismissed and no costs should be taxed as neither party intended this matter to be appealed.

The Court, having considered the documents on file and appellants' motion to dismiss the appeal for lack of jurisdiction, 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. No costs will be taxed. Having dismissed the appeal at appellants' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

LETICIA HINOJOSA
Justice

Delivered and filed the
11th day of April, 2019.