



NUMBER 13-18-00205-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**PM MANAGEMENT-PORTLAND NC, LLC D/B/A
TRISUN CARE CENTER COASTAL PALMS AND
SENIOR CARE CENTERS, ET AL.,**

Appellants,

v.

**BENITA MARTINEZ, INDIVIDUALLY AND
ON BEHALF OF THE ESTATE OF
RUBEN MARTINEZ, DECEASED,**

Appellee.

**On appeal from the 148th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Benavides, Hinojosa, and Tijerina
Memorandum Opinion by Justice Hinojosa**

Appellee Benita Martinez, individually and on behalf of the estate of Ruben Martinez, deceased (Martinez) filed suit against appellant PM Management-Portland NC,

LLC d/b/a Trisun Care Center Coastal Palms and Senior Care Centers, LLC (PM Management) and appellants, Manzoor A. Bevinal, M.D., Bipasha Nath, M.D., and Corpus Christi Hospitalists, P.L.L.C. (collectively CC Hospitalists). PM Management and CC Hospitalists have each perfected an interlocutory appeal from the trial court's order denying their respective motions to dismiss Martinez's suit.

PM Management and CC Hospitalists have filed separate unopposed motions to dismiss the appeal. PM Management represents that it has reached a settlement agreement with Martinez. CC Hospitalists represent that Martinez has filed a motion to dismiss her claims against them in the trial court. The Court, having considered the documents on file and the unopposed motions to dismiss, is of the opinion that the motions should be granted. See TEX. R. APP. 42.1(a)(1). The motions to dismiss are granted, and the appeal is hereby DISMISSED. In accordance with the agreement of the parties, costs are taxed against the party incurring same. See *id.* R 42.1(d). Having dismissed the appeal at the appellants' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

LETICIA HINOJOSA
Justice

Delivered and filed the
24th day of September, 2020.