



**NUMBER 13-19-00199-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**RON YOUNG, BY AND THROUGH  
PAUL ALTHEIDE, INDEPENDENT EXECUTOR,** **Appellant,**

**v.**

**KENNETH TALLEY,** **Appellee.**

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**On appeal from the 94th District Court  
of Nueces County, Texas.**

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**MEMORANDUM OPINION**

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

This cause is before the Court on a joint motion to withdraw appellant's motion for rehearing, joint motion to withdraw our previously issued memorandum opinion, and joint motion to dismiss the appeal. On August 27, 2020, this Court previously issued a

memorandum opinion affirming as modified the trial court's judgment in Cause Number 13-19-00199-CV.

The Court, having fully examined and considered appellant and appellee's motions are of the opinion that appellant and appellee's motion to withdraw the motion for rehearing should be GRANTED.<sup>1</sup> Additionally, the Court GRANTS the parties' motion to withdraw our previous issued memorandum opinion, WITHDRAWS its judgment and memorandum opinion issued on August 27, 2020, and DISMISSES the appeal.

Pursuant to the parties' agreement, costs will be taxed against the party incurring the same. See Tex. R. App. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant.").

GINA M. BENAVIDES  
Justice

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

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<sup>1</sup> Additionally, the appellant's previously filed motion for rehearing is rendered moot.