



NUMBER 13-20-00396-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

**IN THE GUARDIANSHIP OF JOHARI KIBIBI POWELL,
AN INCAPACITATED PERSON**

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

MEMORANDUM OPINION

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

Appellant Darius Alexander Christopher perfected an appeal from a final order “Granting Successor Guardian’s First Supplemental Emergency Motion to Compel [Appellant] to Return Estate Property or Reimburse the Guardianship Estate” entered by the County Court at Law No. 5, Nueces County, Texas, in trial court cause number 2018-GU-00066-5 in favor of appellee Paul Swacina, as the guardian of the estate and person of Johari K. Powell.

Appellee has filed an “Agreed Motion to Dismiss for Mootness.” The motion states, in relevant part, that “[appellant] has attempted to comply with the [trial court’s] Order,” and appellant’s compliance has rendered the appeal moot. The parties request that this Court dismiss the appeal. Appellee’s agreed motion complies with Texas Rule of Appellate Procedure 42.1. See TEX. R. APP. P. 42.1(a)(2).

Accordingly, appellee’s agreed motion to dismiss is granted. We hereby dismiss this appeal without passing on the merits of the case. See *id.* R. 42.1(a)(2)(A), 43.2(f). Costs will be taxed against appellant. See *id.* R. 42.1(d).

CLARISSA SILVA
Justice

Delivered and filed on the
22nd day of April, 2021.