



NUMBER 13-20-00471-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

**JUANITA MCCLINCHIE, AS NEXT FRIEND
OF K.M. JR., A MINOR,**

Appellant,

v.

ERNESTO PERALES,

Appellee.

**On appeal from the County Court at Law No. 3
of Bexar County, Texas.**

MEMORANDUM OPINION

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

Appellant Juanita McClinchie, as next friend of K.M. Jr., a minor, appealed a take-nothing summary judgment rendered against her in a personal injury case arising from a

vehicular collision.¹ She has now filed an unopposed motion to dismiss her appeal on grounds that the parties have reached an agreed settlement which is dispositive of the issues raised in this appeal. Appellant thus requests that we dismiss this appeal.

The Court, having examined and fully considered the unopposed motion to dismiss the appeal, is of the opinion that it should be granted. See TEX. R. APP. P. 42.1(a)(1) (allowing the court to “dismiss the appeal or affirm the appealed judgment or order unless such disposition would prevent a party from seeking relief to which it would otherwise be entitled”). Accordingly, we grant the motion to dismiss, and we dismiss the appeal. Costs will be taxed against the appellant. See *id.* R. 42.1(d) (“Absent agreement of the parties, the court will tax costs against the appellant.”).

LETICIA HINOJOSA
Justice

Delivered and filed on the
8th day of April, 2021.

¹ The appeal was transferred to this Court from the Fourth Court of Appeals in San Antonio pursuant to a docket equalization order issued by the Texas Supreme Court. See TEX. GOV'T CODE ANN. §§ 73.001, 22.220(a).