



NUMBER 13-20-00482-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

**MARY HELEN WOODS
AND ROBERT R. WOODS,**

Appellants,

v.

RIO GRANDE VALLEY LIVESTOCK SHOW, INC.,

Appellee.

**On appeal from the 92nd District Court
of Hidalgo County, Texas.**

MEMORANDUM OPINION

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

Appellants Mary Helen Woods and Robert R. Woods appealed a summary judgment rendered against them in a premises liability case that they filed against appellee, Rio Grande Valley Livestock Show, Inc. (Rio Grande). The appellants have now filed an amended motion to dismiss their appeal on grounds that they no longer wish to

pursue it. The appellants' amended motion to dismiss states that it is "agreed" and "unopposed" by Rio Grande. Appellants assert that the costs on appeal should be taxed against the party incurring the same.

The Court, having examined and fully considered the amended motion to dismiss, 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 amended motion to dismiss and we dismiss the appeal. Costs will be taxed against the party incurring the same. See *id.* R. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Having dismissed the appeal at the appellants' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

CLARISSA SILVA
Justice

Delivered and filed on the
11th day of March, 2021.