



NUMBER 13-21-00265-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

DIAMANTE CUSTOM HOMES, LLC,

Appellant,

v.

PROSPERITY BANK USA,

Appellee.

**On appeal from the 377th District Court
of Victoria County, Texas.**

MEMORANDUM OPINION

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

This matter is before the Court on appellant's amended unopposed motion to dismiss. On November 2, 2021, the trial court signed an order granting appellant and appellee's joint motion regarding arbitration which rendered this appeal moot.

The Court, having considered appellant's amended motion, is of the opinion that the amended motion should be granted. See TEX. R. APP. P. 42.1(a)(1). Therefore,

appellant's amended unopposed motion to dismiss is granted, and the appeal is hereby dismissed as moot. Costs will be taxed against the appellant. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant.").

CLARISSA SILVA
Justice

Delivered and filed on the
6th day of January, 2022.