



**NUMBER 13-22-00028-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**TODD MCGOWEN, OWNER OF  
IMPERO RUSSO, INC. D/B/A  
TYC AUTO,**

**Appellant,**

**v.**

**DIRECTOR OF THE TEXAS DEPARTMENT  
OF MOTOR VEHICLES,**

**Appellee.**

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**On direct appeal from the Motor Vehicle Division of the  
Texas Department of Motor Vehicles.**

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**MEMORANDUM OPINION**

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

This matter is before the Court on appellant's unopposed amended notice of

nonsuit, which is construed as an unopposed amended motion to dismiss appeal.<sup>1</sup> Appellant requests the dismissal, as he no longer wishes to pursue an appeal in this action.

The Court, having considered appellant's unopposed amended motion, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a)(1). Therefore, appellant's unopposed amended motion to dismiss is granted, and the appeal is hereby dismissed. 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."). Because the appeal is dismissed at appellant's request, no motion for rehearing will be entertained.

DORI CONTRERAS  
Chief Justice

Delivered and filed on the  
14th day of April, 2022.

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<sup>1</sup> This case is before the Court on transfer from the Third Court of Appeals pursuant to a docket equalization order issued by the Supreme Court of Texas. See TEX. GOV'T CODE ANN. § 73.001.