



NUMBER 13-23-00585-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

IN THE INTEREST OF A.C.G., A CHILD

**ON APPEAL FROM THE 23RD DISTRICT COURT
OF MATAGORDA COUNTY, TEXAS**

MEMORANDUM OPINION

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

This matter is before the Court on appellant's motion to dismiss. Appellant appealed the trial court's November 23, 2023 order in a suit affecting the parent-child relationship, seeking to reverse the trial court's judgment appointing a nonparent joint managing conservator of the child subject to his appeal.

On June 20, 2024, appellant filed a "motion to nonsuit appeal." Appellant requests that we nonsuit his claims with prejudice and that he "no longer wishes to pursue this appeal." We construe appellant's motion for nonsuit as a motion to dismiss the appeal.

Having considered the documents on file and appellant's motion, this Court is of the opinion that the motion should be granted, and the appeal should be dismissed. See TEX. R. APP. P. 42.3(a). We hereby dismiss the appeal. Costs will be assessed against appellant. See *id.* R. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Having dismissed the appeal pursuant to appellant's motion, no motion for rehearing will be entertained, and our mandate will issue forthwith.¹

JAIME TIJERINA
Justice

Delivered and filed on the
27th day of June, 2024.

¹ Appellant's amended motion for leave requesting to file his untimely brief is hereby granted.