



**NUMBER 13-24-00018-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**S.J. LOUIS CONSTRUCTION OF  
TEXAS, LTD.,**

**Appellant,**

**v.**

**DAVID LEE GARZA,**

**Appellee.**

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**On appeal from the 166th District Court  
of Bexar County, Texas.**

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**MEMORANDUM OPINION**

**Before Justices Longoria, Silva, and Peña  
Memorandum Opinion by Justice Peña**

This matter is before the Court on appellant's unopposed motion to voluntarily dismiss appeal.<sup>1</sup>

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

The Court, having considered appellant's unopposed motion to dismiss appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a)(1). Therefore, appellant's unopposed motion to dismiss appeal is GRANTED, and the appeal is hereby dismissed. Costs will be taxed against the appellant, as there is no clear agreement between the parties regarding costs. See *id.* R. 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.

L. ARON PEÑA JR.  
Justice

Delivered and filed on the  
15th day of February, 2024.