

COURT OF APPEALS OF TEXAS, THIRTEENTH DISTRICT, CORPUS
CHRISTI-EDINBURG

Soledad Gonzales v. Deutsche Bank Trust Co.

No. 13-14-00695-CV, Court of Appeals of Texas, Thirteenth District, Corpus Christi-Edinburg (March 19, 2015)

SUMMARY

The Thirteenth Court of Appeals of Texas granted Soledad Gonzales’s motion for voluntary dismissal of her appeal from a Hidalgo County court judgment. The appeal was dismissed under Texas Rule of Appellate Procedure 42.1(a), with costs taxed against the appellant and the mandate ordered to issue immediately.

CASE DETAILS

COURT	Court of Appeals of Texas, Thirteenth District, Corpus Christi-Edinburg
WRITING FOR THE COURT	Per Curiam; Chief Justice Valdez; Justice Rodriguez; Justice Longoria
JURISDICTION	Texas
DECIDED	March 19, 2015
DOCKET	13-14-00695-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed a judgment of the County Court at Law No. 2 of Hidalgo County and moved for voluntary dismissal of the appeal.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Soledad Gonzales v. Deutsche Bank Trust Co.

TOPICS

appellate procedure costs civil procedure

PRACTICE AREAS

appellate procedure civil procedure

QUESTIONS PRESENTED

- Whether the appellant's motion for voluntary dismissal of the appeal should be granted.
- Against which party appellate costs should be taxed following voluntary dismissal.

HOLDINGS

1. The appellate court granted appellant's motion for voluntary dismissal and dismissed the appeal.
2. Absent an agreement of the parties, appellate costs were taxed against appellant.

KEY QUOTATIONS

“Absent agreement of the parties, the court will tax costs against the appellant.”

FACTUAL BACKGROUND

The opinion contains no substantive underlying facts because the appeal was resolved on appellant's motion for voluntary dismissal. Gonzales requested that the appellate court dismiss her appeal from the county court judgment.

PROCEDURAL HISTORY

Soledad Gonzales appealed a judgment entered by the County Court at Law No. 2 of Hidalgo County, Texas. While the appeal was pending, she moved for voluntary dismissal. The court granted the motion, dismissed the appeal, assessed costs against appellant, and ordered that its mandate issue forthwith.

DISPOSITION

dismissed