

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

**Southern Nurseries, Inc. and Kathy Garfield v. Maria Guadalupe  
Solis**

No. 13-09-00664-CV · No. 13-09-00664-CV · Decided February 11, 2010

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**OPINION**

PER CURIAM.

NUMBER 13-09-00664-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS  
CORPUS CHRISTI - EDINBURG

\_\_\_\_\_  
SOUTHERN  
NURSERIES, INC. AND KATHY GARFIELD, Appellants, v. MARIA GUADALUPE SOLIS,  
ET AL., Appellees. \_\_\_\_\_

On appeal from the 93rd District Court of Hidalgo County, Texas.

**MEMORANDUM**

OPINION Before Justices Rodriguez, Garza, and Benavides Memorandum Opinion Per Curiam  
Appellants, Southern Nurseries, Inc. and Kathy Garfield, attempted to perfect an appeal from an  
order entered by the 93rd District Court of Hidalgo, County, Texas, in cause no. C-290-09-B.

Appellants have filed a motion to dismiss the appeal on grounds that there is no longer an issue in  
controversy. Appellants request that this Court dismiss the appeal. The Court, having considered  
the documents on file and appellants' motion to dismiss the appeal, is of the opinion that the  
motion should be granted. See Tex. R. App. P. 42.1(a). Appellants' motion to dismiss is granted,  
and the appeal is hereby DISMISSED.

Costs will be taxed against appellants. See Tex. R. App. P. 42.1(d) ("Absent agreement of the  
parties, the court will tax costs against the appellant."). Having dismissed the appeal at appellants'  
request, no motion for rehearing will be entertained, and our mandate will issue forthwith. PER  
CURIAM Delivered and filed the 11th day of February, 2010.