

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

Rolando Sanchez, Individually, Rolando Sanchez as Representative of the Estate of Mary Helen Sanchez, Ramon Sanchez, Richard Sanchez, and Reynaldo Sanchez v. Lopez Homes MCG LLC Individually and D/B/A Lopez Assisted Living, and Lopez Homes Assisted Living MCG

No. 04-25-00756-CV · No. No. 04-25-00756-CV · Decided April 1, 2026

SUMMARY

The Fourth Court of Appeals of Texas dismissed the appeal after granting the appellants' unopposed motion to dismiss under Texas Rule of Appellate Procedure 42.1(a)(1). The court taxed appellate costs against the appellants.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas, San Antonio
WRITING FOR THE COURT	Per Curiam; Lori Massey Brissette, Justice; Adrian A. Spears II, Justice; H. Todd McCray, Justice
JURISDICTION	Fourth Court of Appeals of Texas, San Antonio
DECIDED	April 1, 2026
DOCKET	No. 04-25-00756-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellants filed an unopposed motion to dismiss their appeal.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Rolando Sanchez, Individually, Rolando Sanchez as representative of the Estate of Mary Helen Sanchez, Ramon Sanchez, Richard Sanchez, Reynaldo Sanchez v. Lopez Homes MCG LLC Individually and d/b/a Lopez Assisted Living, Lopez Homes Assisted Living MCG

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should dismiss the appeal on appellants' unopposed motion under Texas Rule of Appellate Procedure 42.1(a)(1).
2. How appellate costs should be allocated upon dismissal.

HOLDINGS

1. An appeal may be dismissed on the appellants' unopposed motion when dismissal would not prevent appellees from seeking relief to which they would otherwise be entitled; the court granted the motion and dismissed the appeal.
2. Costs of the appeal are taxed against appellants.

FACTUAL BACKGROUND

The opinion contains no substantive factual background concerning the underlying dispute. The relevant procedural fact is that appellants filed an unopposed motion seeking dismissal of the appeal, and appellees did not contend that dismissal would prevent them from seeking otherwise available relief.

PROCEDURAL HISTORY

The appeal arose from the 150th Judicial District Court of Bexar County, Texas, trial court cause number 2024-CI-26721. The appellants moved to dismiss the appeal, the appellees did not oppose dismissal, and the court of appeals granted the motion and dismissed the appeal, taxing appellate costs against appellants.

DISPOSITION

dismissed

OPINION**PER CURIAM.**

Fourth Court of Appeals San Antonio, Texas MEMORANDUM OPINION No. 04-25-00756-CV Rolando SANCHEZ, Individually, Rolando Sanchez as representative of the Estate of Mary Helen Sanchez, Ramon Sanchez, Richard Sanchez, and Reynaldo Sanchez, Appellants v. LOPEZ HOMES MCG LLC Individually and d/b/a Lopez Assisted Living, and Lopez Homes Assisted Living MCG, Appellees From the 150th Judicial District Court, Bexar County, Texas Trial Court No. 2024-CI-26721 Honorable Tina Torres, Judge Presiding PER CURIAM Sitting: Lori Massey Brissette, Justice Adrian A. Spears II, Justice H. Todd McCray, Justice Delivered and Filed: April 1, 2026 DISMISSED Appellants have filed their "Unopposed Motion to Dismiss Appeal" seeking dismissal of this appeal.

See TEX. R. APP. P. 42.1(a)(1). Appellees have not filed a response contending dismissal would prevent them from seeking relief to which they would otherwise be entitled. See *id.*; *id.* R. 10.3(a). We therefore grant the motion and dismiss this appeal. See *id.* R. 42.1(a)(1). Costs of the appeal are taxed against appellants. See *id.* R. 42.1(d). PER CURIAM

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