

**COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS,
CORPUS CHRISTI–EDINBURG**

Wynn's Extended Care Inc. v. Horacio Castillo

Wynn's Extended Care · No. 13-26-00192-CV · Decided April 2, 2026

OPINION

Wynn's Extended Care Inc. v. Horacio Castillo

PER CURIAM.

NUMBER 13-26-00192-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

EXTENDED	CARE	INC.,	Appellant,	v.	HORACIO	CASTILLO,	WYNN'S
							Appellee.

ON APPEAL FROM THE COUNTY COURT AT LAW

OF KLEBERG COUNTY, TEXAS

MEMORANDUM OPINION

Before Chief Justice Tijerina and Justices West and Cron Memorandum Opinion by Justice Cron
Appellant Wynn's Extended Care Inc. filed a notice of appeal from a final judgment in favor of
appellee Horacio Castillo. The parties have since filed an "Agreed Motion to Withdraw Appeal
Without Prejudice" signed by counsel for both parties. The parties informed the Court that the trial
court has granted appellant's motion for new trial, and the parties would prefer to pursue any
potential appeal after retrial. The Court, having reviewed the parties' agreement, is of the opinion
that the motion should be granted. See TEX. R. APP. P. 42.1(a)(2). Therefore, the motion to
dismiss is granted, and the appeal is hereby dismissed without prejudice to refiling. See id. R.
42.1(a)(2)(A). Additionally, appellate costs are taxed 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 at the parties' request, no motion for rehearing will be entertained.

JENNY CRON

Justice Delivered and filed on the 2nd day of April, 2026. 2
