

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

The University of Texas-Pan American v. Dr. Hilda Medrano

University of Texas-Pan American v. Medrano · No. 13-09-00384-CV · Decided December 29, 2009

SUMMARY

The Thirteenth Court of Appeals of Texas granted the parties' joint motion to dismiss an appeal after they reached a settlement. The appeal was dismissed, costs were taxed against the appellant, and the court stated that no motion for rehearing would be entertained and that its mandate would issue immediately.

CASE DETAILS

COURT	Court of Appeals of Texas, Thirteenth District, Corpus Christi-Edinburg
WRITING FOR THE COURT	Per Curiam; Justice Rodriguez; Justice Garza; Justice Benavides
JURISDICTION	Texas
DECIDED	December 29, 2009
DOCKET	13-09-00384-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	The parties jointly moved to dismiss the appeal after reaching an agreement to settle and compromise their differences.
PRECEDENTIAL VALUE	Published memorandum opinion; no precedential limitation is stated in the source text.
PARTIES	The University of Texas-Pan American v. Dr. Hilda Medrano

TOPICS

- appellate procedure
- costs
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the court should dismiss the appeal at the parties' joint request after settlement.

2. How appellate costs should be taxed following dismissal at the parties' request.

HOLDINGS

1. The court granted the parties' joint motion and dismissed the appeal.
2. Costs were taxed against the appellant.

KEY QUOTATIONS

“The joint motion to dismiss is granted, and the appeal is hereby DISMISSED.”

“Costs will be taxed against appellant.”

FACTUAL BACKGROUND

The parties reached an agreement to settle and compromise their differences while the appeal was pending. They jointly moved for dismissal of the appeal based on that agreement.

PROCEDURAL HISTORY

The appeal was taken from the 398th District Court of Hidalgo County, Texas. After the parties settled, they jointly requested dismissal of the appeal, which the court granted.

DISPOSITION

dismissed

OPINION

PER CURIAM.

NUMBER 13-09-00384-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS
CORPUS CHRISTI - EDINBURG

THE UNIVERSITY
OF TEXAS - PAN AMERICAN, Appellant, v. DR. HILDA MEDRANO, Appellee.

On appeal from the
398th District Court of Hidalgo County, Texas.

MEMORANDUM

OPINION Before Justices Rodriguez, Garza and Benavides Memorandum Opinion Per Curiam
The parties to this appeal have filed a joint motion asking the Court to dismiss this appeal.

According to the motion, the parties have reached an agreement to settle and compromise their differences. The Court, having considered the documents on file and the joint motion to dismiss the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a).

The joint motion to dismiss is granted, and the appeal is hereby DISMISSED. Costs will be taxed against appellant. 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 the parties' request, no motion for rehearing will be entertained, and our mandate will issue forthwith. PER CURIAM Delivered and filed the 29th day of December, 2009. 2