

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Reuben R. Beckmann v. Eileen M. Beckmann

No. 03-25-00836-CV · No. No. 03-25-00836-CV · Decided January 15, 2026

SUMMARY

The Texas Court of Appeals for the Third District granted in part Reuben R. Beckmann’s motion to dismiss his appeal because Eileen M. Beckmann had not sought affirmative relief. The court denied the request to assess appellate costs against the party incurring them and denied the motion to expedite the ruling.

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-25-00836-CV Reuben R. Beckmann, Appellant v. Eileen M. Beckmann, Appellee FROM THE 53RD DISTRICT COURT OF TRAVIS COUNTY NO. D-1-FM-19-004598, THE HONORABLE AMY CLARK MEACHUM, JUDGE PRESIDING MEMORANDUM OPINION Appellant Reuben R. Beckmann has filed a motion to dismiss this appeal.

We may voluntarily dismiss a civil appeal in two circumstances: (1) when the parties agree to dismiss the appeal; or (2) when appellant files a motion to dismiss the appeal and dismissing the appeal would not “prevent a party from seeking relief to which it would otherwise be entitled.” Tex. R. App. P. 42.1(a). Appellant’s certificate of conference reflects that appellee has not agreed to dismiss the appeal.

Therefore, we may only dismiss this appeal if we determine that dismissing will not prejudice appellee’s right to seek relief. See *id.* R. 42.1(a)(1). However, appellee has not sought any affirmative relief in this appeal.

Accordingly, we grant in part appellant’s motion and dismiss the appeal. See *id.* R. 42.1(a); *Giffin v. Giffin*, 962 S.W.2d 649, 649 (Tex. App.—Corpus Christi—Edinburg 1998, no pet.); *Wells Fargo Bank, N.A. v. Express Limousines, Inc.*, No. 03-19-00023-CV, 2019 WL 455217, at *1 (Tex. App.—Austin Feb. 6, 2019, no pet.) (mem. op.) (granting appellant’s opposed motion to dismiss the appeal because “[a]ppellees... have not requested affirmative relief in this appeal”).

We deny appellant’s request to assess costs of the appeal against the party that incurred them. See Tex. R. App. P. 42.1(d) (“Absent agreement of the parties, the court will tax costs against the appellant.”). We deny appellant’s motion to expedite our ruling on his motion to dismiss. See *id.* R. 10.3(a) (providing that appellate courts “should not hear or determine a motion until 10 days

after the motion was filed,” unless motion is unopposed, seeks extension of time, or reflects emergency). _____ Maggie Ellis, Justice Before Justices Triana, Kelly, and Ellis Dismissed on Appellant’s Motion Filed: January 15, 2026 2

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