

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

SERGIO VALENZUELA SIERRA, D/B/A TRANSPORTES ISA,	§	No. 08-10-00163-CV
	§	
Appellant,	§	Appeal from the
	§	
v.	§	346th Judicial District Court
	§	
	§	of El Paso County, Texas
YVETTE RENEE HERNANDEZ,	§	
	§	(TC# 2007-665)
Appellee.	§	

MEMORANDUM OPINION

Pending before the Court is Appellant's motion to dismiss this appeal pursuant to TEX.R.APP.P. 42.1(a)(1), (2). The Appellant represents the parties have reached an agreement to settle and compromise in the underlying suit and asks that this Court to dismiss the appeal with prejudice and assess costs of appeal in accordance with the settlement.

Having reviewed the motion, we conclude the motion shall be GRANTED, and we dismiss the appeal with prejudice. *See* TEX.R.APP.P. 42.1(a)(2). Pursuant to the parties' agreement, costs of appeal will be assessed against the party incurring the same. *See* TEX.R.APP.P. 42.1(d).

August 18, 2010

DAVID WELLINGTON CHEW, Chief Justice

Before Chew, C.J., McClure, and Rivera, JJ.