

Opinion issued October 4, 2012



In The
Court of Appeals
For The
First District of Texas

NO. 01-12-00389-CV

JEANIE MERRIKH, Appellant

V.

TEXAS WINDSTORM INSURANCE ASSOCIATION, Appellee

**On Appeal from the 10th District Court
Galveston County, Texas
Trial Court Cause No. 10-CV-3061**

MEMORANDUM OPINION

This is an appeal from a judgment signed March 15, 2012. On September 26, 2012, the parties filed a joint motion to dismiss the appeal. They represent that they have reached an agreement that fully disposes of all controversies between them and request that we set aside the trial court's judgment without regard to the

merits and remand the case to the trial court for rendition of judgment in accordance with the parties' agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B).

Accordingly, we grant the motion, set aside the trial court's judgment without regard to the merits, and remand this cause to the trial court for rendition of judgment in accordance with the parties' agreement. *See id.*

We dismiss any other pending motions as moot. We direct the Clerk to issue the mandate within 10 days of the date of this opinion. *See* TEX. R. APP. P. 18.1. We order that the costs of the appeal are to be taxed against the party who incurred them. *See* TEX. R. APP. P. 42.1(d).

PER CURIAM

Panel consists of Justices Jennings, Higley, and Sharp.