



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-16-00308-CV

IN THE INTEREST of S.A.W., a Child

From the 216th Judicial District Court, Gillespie County, Texas
Trial Court No. 12167
Honorable N. Keith Williams, Judge Presiding

PER CURIAM

Sitting: Marialyn Barnard, Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: December 7, 2016

MOTION TO DISMISS GRANTED; APPEAL DISMISSED

On September 22, 2016, appellant Bradley D. Winters and appellee Sara D. Ahearn filed an agreed motion to abate the appeal. In the motion, they advised this court that “[t]he parties to this appeal are in the midst of negotiating the issues that underlie this appeal.” Based on this information, the parties requested that we abate this appeal for 75 days to allow them time to resolve their differences. On September 29, 2016, we ordered the appeal abated until further order of this court. We also ordered the parties to file either the appropriate motion to dismiss this appeal or a motion to reinstate appellate deadlines no later than November 14, 2016.

On November 4, 2016, appellant and appellee filed an agreed motion to dismiss this appeal. In the motion, the parties state they have entered into an agreed order to modify the parent-child relationship, ultimately resolving the issues underlying this appeal. We therefore reinstate this

appeal on the docket of this court and grant appellant and appellee's agreed motion to dismiss. *See* TEX. R. APP. P. 42.1(a)(1). We further order all costs assessed against appellant. *See id.* R. 42.1(d) (absent agreement of parties, costs are taxed against appellant).

PER CURIAM