

NO. 07-07-0304-CV

IN THE COURT OF APPEALS

FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL B

SEPTEMBER 26, 2007

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IN THE MATTER OF THE MARRIAGE OF MARY MCKAY  
DUNCAN AND RICHARD WITT DUNCAN AND IN THE  
INTEREST OF ROBERT RICHARD WITT DUNCAN CHILD

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FROM THE 200th DISTRICT COURT OF TRAVIS COUNTY;

NO. D-1-FM-94-010519; HON. MARGARET A. COOPER, PRESIDING

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***ORDER ON MOTION TO VACATE AND DISMISS APPEAL***

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Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

Appellant and appellee, by and through their attorneys, represent to the court that the dispute has been settled. So too do they request that we “vacate” the trial court’s judgment and dismiss the appeal. Without passing on the merits of the case, we grant the motion pursuant to Texas Rule of Appellate Procedure 42.1(a)(2), vacate the trial court’s judgment, and dismiss the case. TEX R. APP. P. 43.2(e) (stating that an appellate court may vacate a trial court’s judgment and dismiss the case). Our having done so at the request of all the litigants, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Brian Quinn  
Chief Justice