



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-08-00115-CV

CHARLES WILLIAM RICHARDSON AND J. RONALD BURKE, Appellants

V.

SOUTHWEST CONSTRUCTION RECEIVABLES, LIMITED, AND
CONSTRUCTION INVOICE FUNDING, LTD., ET AL., Appellees

On Appeal from the 202nd Judicial District Court
Bowie County, Texas
Trial Court No. 99C0985-202

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Justice Carter

MEMORANDUM OPINION

Appellants, Charles William Richardson and J. Ronald Burke, and appellees, Southwest Construction Receivables, Limited, and Construction Invoice Funding, Ltd., Dennis O'Banion, and Dan W. Moore, have filed with this Court a joint motion to dismiss the pending appeal in this matter and remand the cause to the trial court. The parties represent to this Court they have reached a full and final settlement. In such a case, no real controversy exists, and in the absence of a controversy, the appeal is moot.

We grant the motion. We set aside without regard to the merits the judgment of the trial court and remand the case to the court for rendition of judgment in accordance with the agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B).

Jack Carter
Justice

Date Submitted: January 14, 2009
Date Decided: January 15, 2009