

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-10-00356-CV

HRC Cherokee Tree Farm and Texas Commission on Environmental Quality, Appellants

v.

Adrian F. Van Dellen, DVM, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 126TH JUDICIAL DISTRICT
NO. D-1-GN-08-004110, HONORABLE SUZANNE COVINGTON, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellants HRC Cherokee Tree Farm and Texas Commission on Environmental Quality and appellee Adrian F. Van Dellen, DVM have agreed to settle this matter and have filed a joint motion to vacate and remand this case for judgment. We grant the motion, set aside the trial court's judgment without regard to the merits, and remand the cause to the trial court for further proceedings. *See* Tex. R. App. P. 42.1(a)(2)(B).

Jeff Rose, Justice

Before Justices Puryear, Pemberton and Rose

Vacated and Remanded on Joint Motion

Filed: May 17, 2011