



NUMBER 13-09-00407-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**TWO HUNDRED EIGHTY-EIGHT THOUSAND
NINE HUNDRED FORTY (\$288,940.00)
DOLLARS IN U.S. CURRENCY,**

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

On appeal from the 105th District Court of Kleberg County, Texas.

MEMORANDUM OPINION

**Before Justices Yañez, Benavides, and Vela
Memorandum Opinion Per Curiam**

The parties to this appeal have filed a joint motion asking the Court to dismiss this appeal. According to the motion, the parties have reached an agreement to settle and compromise their differences. They ask this Court to render judgment effectuating the parties' agreement, or in the alternative, set aside the trial court's judgment without regards

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)(A), TEX. R. APP. P. 42.1(a)(2)(B).

The parties' motion to set aside the trial court's judgment and remand the case to the trial court is GRANTED. Accordingly, we vacate the trial court's judgment without regard to the merits, and REMAND this 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). In accordance with the agreement of the parties, costs are taxed against the party incurring same. See TEX. R. APP. P. 42.1(d).

PER CURIAM

Memorandum Opinion delivered and
filed this the 8th day of October, 2009.