



NUMBER 13-09-00697-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**SHINER MOSELEY AND ASSOCIATES, INC.
AND HDR ENGINEERING, INC.,**

Appellants,

v.

W.O.H. ENTERPRISES, L.L.C.,

Appellee.

**On appeal from the County Court at Law No. 3
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Benavides and Vela
Memorandum Opinion Per Curiam**

Appellants, Shiner Moseley and Associates, Inc. and HDR Engineering, Inc., perfected an appeal from a judgment entered by the County Court at Law No. 3 of Nueces County, Texas, in cause number 08-62284-3. Appellants have filed an agreed motion to dismiss the appeal with prejudice on grounds that the parties have reached an agreement

to settle and compromise their differences. Appellants request that this Court dismiss the appeal with prejudice.

The Court, having considered the documents on file and appellants' agreed motion to dismiss the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). Appellants' motion to dismiss is granted, and the appeal is hereby DISMISSED WITH PREJUDICE. In accordance with the agreement of the parties, costs are taxed against the party incurring same. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Having dismissed the appeal at appellants' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Delivered and filed the
13th day of May, 2010.