



NUMBER 13-10-00084-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

ALLSTATE COUNTY MUTUAL
INSURANCE COMPANY,

APPELLANT,

v.

PAYNE BROWNSVILLE, INC.,
D/B/A PAYNE LINCOLN MERCURY

APPELLEE.

On appeal from the County Court at Law No. 1
of Cameron County, Texas.

MEMORANDUM OPINION

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

Appellant, Allstate County Mutual Insurance Company, perfected an appeal from a judgment entered by the County Court at Law No. 1 of Cameron County, Texas, in cause number 2004-CCL-145-A. This appeal was abated by this Court on March 12,

2010, and the parties were ordered to mediation.

The parties have filed a joint motion to dismiss with prejudice on grounds that the parties have reached a compromise settlement agreement that resolves all disputes in this matter. The parties request that this Court dismiss this case with prejudice. Accordingly, we REINSTATE the appeal.

The Court, having considered the documents on file and the joint motion to dismiss with prejudice, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). The joint 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 appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Delivered and filed the 6th
day of May, 2010.