



NUMBER 13-10-00167-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

CEDARCIDE INDUSTRIES, INC.,

Appellant,

v.

MELINDA POOLE,

Appellee.

On appeal from the 9th District Court
of Montgomery County, Texas.

MEMORANDUM OPINION

Before Justices Yañez, Garza, and Benavides
Memorandum Opinion Per Curiam

Appellant, Cedarcide Industries, Inc., perfected an appeal from a judgment entered by the 9th District Court of Montgomery County, Texas, in cause number 06-10-10512-CV. The parties have filed a joint motion to dismiss the appeal on grounds that the parties have reached an agreement to settle and compromise its differences in this appeal. The parties request that this Court dismiss the appeal.

The Court, having considered the documents on file and the joint motion to dismiss, 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.

The parties request that the Court order the bond released. The motion is GRANTED. We order the trial court to release appellant's bond. Costs will be taxed against appellant. 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 the parties' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Delivered and filed the
8th day of July, 2010.