



NUMBER 13-21-00060-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

**COLUMBIA VALLEY HEALTHCARE
SYSTEM L.P., D/B/A VALLEY
REGIONAL MEDICAL CENTER
(MISNAMED BROWNSVILLE-VALLEY
REGIONAL MEDICAL CENTER) AND
GERALDINE MULLANE, M.D.,**

Appellants,

v.

OSCAR RODRIGUEZ,

Appellee.

**On appeal from the 107th District Court
of Cameron County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Hinojosa and Silva
Memorandum Opinion by Justice Hinojosa**

This cause is before the Court on a joint motion to set aside the trial court's order without regard to the merits and remand. The parties jointly move to vacate the order denying defendants' objections to plaintiff's Ch. 74 expert report and motion to dismiss signed and entered on February 2, 2021.

We grant the joint motion and vacate the subject order, without reference to the merits, and remand the case to the trial court for entry of an agreed order of dismissal with prejudice. See TEX. R. APP. P. 42.1(a)(2)(B), 43.2(d), (e). In accordance with the parties' agreement, all costs of the appeal will be taxed against the party incurring the same. See *id.* R. 42.1(d)

LETICIA HINOJOSA
Justice

Delivered and filed on the
28th day of October, 2021.