

NO. 12-12-00292-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

NATIONWIDE MUTUAL § *APPEAL FROM THE SECOND*
INSURANCE COMPANY,
APPELLANT

V. § *JUDICIAL DISTRICT COURT*

MARJORIE ORLIN,
APPELLEE § *CHEROKEE COUNTY, TEXAS*

MEMORANDUM OPINION
PER CURIAM

The parties to this appeal have filed a joint motion signed by counsel for each party in which they allege that they have settled the claims at issue in this appeal. They request that we set aside the trial court's judgment without regard to the merits and remand the case to the trial court for the rendition of judgment in accordance with the terms of their settlement agreement.

After considering the parties' joint motion, we conclude that the parties have complied with Texas Rule of Appellate Procedure 42.1(a). Accordingly, the joint motion is granted, the trial court's judgment is *set aside* without regard to the merits, and the case is *remanded* to the trial court for rendition of judgment in accordance with the parties' agreement. *See* TEX. R APP. P. 42.1(a)(2)(B).

Opinion delivered July 24, 2013.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT

JULY 24, 2013

NO. 12-12-00292-CV

NATIONWIDE MUTUAL INSURANCE COMPANY,

Appellant

V.

MARJORIE ORLIN,

Appellee

Appeal from the 2nd Judicial District Court
of Cherokee County, Texas. (Tr.Ct.No. 2012-04-0312)

THIS CAUSE came on to be heard on the joint motion of the Appellant and Appellee to set aside the trial court's judgment without regard to the merits and remand the case to the trial court for the rendition of judgment in accordance with the terms of their settlement agreement herein, and the same being considered, it is hereby ORDERED, ADJUDGED and DECREED by this Court that trial court's judgment is **set aside** without regard to the merits, that the case be **remanded** to the trial court for rendition of judgment in accordance with the parties' agreement, and that this decision be certified to the court below for observance.

By *per curiam* opinion.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.