

COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

MILLENNIUM BODY ARMOR, INC.,	§	No. 08-08-00132-CV
AND MILLENNIUM ARMOUR		
CORPORATION,	§	
		Appeal from the
Appellants,	§	116th Judicial District Court
		of Dallas County, Texas
v.	§	
		(TC# DC-06-12493)
MCCOY WEAVER WIGGINS	§	
CLEVELAND ROSE RAY, PLLC AND		
THORP, CLARKE & NEVILLE, P.A.,	§	
Appellees.		

**MEMORANDUM OPINION**

Pending before the Court is an agreed motion to dismiss this appeal pursuant to TEX.R.APP.P. 42.1(a)(2). The parties represent to the Court that they have settled all matters in controversy in the underlying suit, and are in agreement that the appeal should be dismissed. Further, the parties request that the appeal be dismissed with prejudice, and that the costs be assessed against the party incurring the same. *See* TEX.R.APP.P. 42.1(d). After considering the cause on the parties' motion we conclude that the motion should be granted. Accordingly, the appeal is hereby dismissed with prejudice, with each party bear his or her own costs.

September 18, 2008

DAVID WELLINGTON CHEW, Chief Justice

Before Chew, C.J., McClure, and Carr, JJ.