

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

RUBEN MONTELONGO,	§	No. 08-08-00324-CV
Appellant,	§	Appeal from the
v.	§	County Court at Law No. 6
GEORGE CISNEROS,	§	of El Paso County, Texas
Appellee.	§	(TC# 2006-3279)
	§	

MEMORANDUM OPINION

Pending before the Court is a joint motion to dismiss the appeal pursuant to the parties' agreement. *See* TEX. R. APP. P. 42.1(a)(2). Originally, this Court stayed the proceedings after Appellant, Ruben Montelongo, filed for bankruptcy in the United States Bankruptcy Court. *See* TEX. R. APP. P. 8.2. However, that stay was later lifted, with the Bankruptcy Court's approval, to allow the appeal to continue. The parties now assert, in their joint motion, that they have settled the claims that formed the basis of the appeal and that their settlement has been approved by the Bankruptcy Court. We therefore grant the motion and dismiss the appeal. Because the motion does not show an agreement as to costs, we assess costs of this appeal against Appellant. *See* TEX. R. APP. P. 42.1(d).

September 22, 2010

GUADALUPE RIVERA, Justice

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