

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

SPECIALTY TIRES OF AMERICA, INC.,	§	No. 08-09-00152-CV
	§	
Appellant,	§	Appeal from the
	§	
v.	§	346th District Court
	§	
ELIO VIRAMONTES,	§	of El Paso County, Texas
	§	
Appellee.	§	(TC# 2005-1364)
	§	

MEMORANDUM OPINION

Pending before the Court is a joint motion to set aside the trial court's judgment and remand for entry of an agreed judgment pursuant to TEX. R. APP. P. 42.1(a)(2). The motion is granted. We therefore set aside the trial court's judgment without regard to the merits and remand the cause to the trial court for rendition of judgment in accordance with the parties' agreement. We further order costs be assessed against the party incurring same.

GUADALUPE RIVERA, Justice

October 7, 2009

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