

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

MIDWEST EMPLOYERS CASUALTY COMPANY ON BEHALF OF TERRY ENGLISH,	§	No. 08-10-00226-CV
	§	
Appellant,	§	Appeal from the
	§	57th Judicial District Court
v.	§	of Bexar County, Texas
	§	
CHARLES HARPOLE, JIM CARROLL, ALAN KWAST, ALBERT LOPEZ, AND BROCK PITTMAN,	§	(TC# 2008-CI-01410)
	§	
Appellees.	§	

MEMORANDUM OPINION

Pending before the Court is a joint motion to dispose of the appeal in accordance with the parties' agreement. The parties request that we set aside the trial court's judgment without regard to the merits and remand the case to the trial court for rendition of judgment in accordance with their agreement. *See* TEX.R.APP.P. 42.1(a)(2)(B). They further request that the mandate issue immediately. *See* TEX.R.APP.P. 18.1(c). Finally, the parties request that costs on appeal be taxed in accordance with their agreement, but they do not state what their agreement on this issue is. The motion is granted. The trial court's judgment is set aside, and the case is remanded to that court for further proceedings consistent with the parties' agreement. The Clerk of this Court shall issue the mandate contemporaneously with this opinion. Costs on appeal are taxed in accordance with the parties' agreement.

January 12, 2011

DAVID WELLINGTON CHEW, Chief Justice

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