

COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

DAVID ABER D/B/A	§	
SEQUOIA HOMES AND	§	No. 08-12-00016-CV
DICK L. ABER,	§	
	§	Appeal from
Appellant,	§	
	§	County Court at Law No. 5
v.	§	
	§	of El Paso County, Texas
ANGEL FLORES AND	§	
ALEIDA FLORES,	§	(TC # 2010-5092)
	§	
Appellees.		

**MEMORANDUM OPINION**

Pending before the Court is a motion to dismiss filed by Appellants, David Aber d/b/a Sequoia Homes and Dick L. Aber because the parties have settled the dispute. We grant the motion and dismiss the appeal. Pursuant to the parties' agreement, we assess costs against the party incurring same. *See* TEX.R.APP.P. 42.1(d)(absent agreement of the parties, the court will tax costs against the appellant).

January 16, 2013

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ANN CRAWFORD McCLURE, Chief Justice

Before McClure, C.J., Rivera, and Antcliff, JJ.  
Antcliff, J., not participating