

DISMISS and VACATE; and Opinion Filed October 17, 2013.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-13-00651-CV

HI SOON & YOUNG SHIN PARK, Appellant

V.

WELLS FARGO BANK, AS TRUSTEE OF THE ABFC 2004-OPT2 TRUST, Appellee

**On Appeal from the 162nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-12-02647**

MEMORANDUM OPINION

Before Justices O'Neill, Lang-Miers, and Evans
Opinion Per Curiam

The Court has before it the parties' October 10, 2013 joint motion to vacate trial judgment and dismiss appellants' causes of action with prejudice and appellee's causes of action without prejudice. We **GRANT** the motion, **VACATE** the judgment of the trial court without regard to the merits, and **DISMISS** appellant's causes of action with prejudice and appellee's causes of action without prejudice. *See* TEX. R. APP. P. 42.1(a).

PER CURIAM



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

HI SOON & YOUNG SHIN PARK,
Appellants

No. 05-13-00651-CV V.

WELLS FARGO BANK, AS TRUSTEE OF
THE ABFC 2004-OPT2 TRUST, Appellee

On Appeal from the 162nd Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DC-12-02647.
Opinion delivered Per Curiam. Justices
O'Neill, Lang-Miers and Evans sitting for
the Court.

In accordance with this Court's opinion of this date, the judgment of the trial court is **VACATED** without regard to the merits. Appellants' causes of action are **DISMISSED** with prejudice, and appellee's causes of action are **DISMISSED** without prejudice to the refiling of the same.

It is **ORDERED** that each party bear its own costs of this appeal.

Judgment entered this 17th day of October, 2013.

/Elizabeth Lang-Miers/

ELIZABETH LANG-MIERS

JUSTICE