

DISMISS; and Opinion Filed December 12, 2013.



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

No. 05-13-01007-CV

IN RE J.C. PENNEY COMPANY INC., ET AL, Relator

**Original Proceeding from the 193rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-12-00735**

MEMORANDUM OPINION

**Before Justices O'Neill, Lang-Miers, and Evans
Opinion by Justice Evans**

Before the Court is the joint motion of the parties to dismiss the above-captioned mandamus proceeding pursuant to which the parties advise the court that they have entered a settlement agreement and have dismissed the action from which this mandamus proceeding arose. The Court **GRANTS** the motion to dismiss. Accordingly, we **DISMISS** relator's petition for writ of mandamus as moot. Tex. R. App. P. 42.1 (a)(2).

/David W. Evans/
**DAVID EVANS
JUSTICE**
