

VACATED AND REMANDED and Opinion Filed August 12, 2016.



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-16-00866-CV

EX PARTE: MICHELLE RANAE VERNER

On Appeal from the 196th District Court
Hunt County, Texas
Trial Court Cause No. 81378

MEMORANDUM OPINION

Before Chief Justice Wright and Justices Bridges and Lang
Opinion by Justice Lang

This is a restricted appeal from the trial court's order granting an expunction. Before the Court is the parties' joint motion to reverse and render judgment. The parties state in their motion that they have agreed that appellee is not entitled to expunction of her records. Citing to rule of appellate procedure 42.1(a)(2)(A), they ask that we reverse the trial court's judgment in its entirety and render judgment in favor of appellant. *See* TEX. R. APP. P. 42.1(a)(2)(A). The parties' pleadings and the trial court's judgment are not before this Court because the clerk's record has not been filed. Without reviewing these documents, this Court will not render judgment. For this reason, we grant the parties' joint motion **TO THE EXTENT** that we vacate the trial court's judgment without regard to the merits and remand this case to the trial court for rendition of judgment in accordance with the parties' agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B).

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/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE



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

JUDGMENT

EX PARTE: MICHELLE RANAE
VERNER

No. 05-16-00866-CV

On Appeal from the 196th District Court,
Hunt County, Texas
Trial Court Cause No. 81378.
Opinion delivered by Justice Lang. Chief
Justice Wright and Justice Bridges
participating.

In accordance with this Court's opinion of this date, the judgment of the trial court is **VACATED** without regard to the merits and this case is **REMANDED** to the trial court for rendition of judgment in accordance with the parties' agreement.

It is **ORDERED** that the parties bear their own costs of the appeal.

Judgment entered this 12th day of August, 2016.