

Dismissed and Opinion Filed December 15, 2017



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-01329-CV

CITY OF MESQUITE, TEXAS, Appellant
V.
THE STATE OF TEXAS, EX REL. KAUFMAN COUNTY, TEXAS, Appellee

On Appeal from the 86th Judicial District Court
Kaufman County, Texas
Trial Court Cause No. 98718-86

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Francis, and Justice Stoddart
Opinion by Chief Justice Wright

Before the Court is appellant's December 6, 2017 motion to dismiss the appeal. Appellant explains that the parties have settled the underlying case. We grant appellant's motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1).

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE



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

JUDGMENT

CITY OF MESQUITE, TEXAS, Appellant

No. 05-17-01329-CV V.

THE STATE OF TEXAS, EX REL.

KAUFMAN COUNTY, TEXAS, Appellee

On Appeal from the 86th Judicial District
Court, Kaufman County, Texas

Trial Court Cause No. 98718-86.

Opinion delivered by Chief Justice Wright.

Justices Francis and Stoddart participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee the State of Texas, ex rel. Kaufman County, Texas recover its costs of this appeal from appellant City of Mesquite, Texas.

Judgment entered December 15, 2017.