

Dismissed; Opinion Filed January 4, 2018.



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

---

No. 05-16-00233-CV

---

**BAYLOR UNIVERSITY MEDICAL CENTER AND MARY SUSAN BARNHILL, AS  
INDEPENDENT EXECUTRIX OF THE ESTATE OF SARAH P. ASCHE, Appellants**

**V.**

**FRITZ ASCHE, VALE ASCHE ELKINS, CRAIG ASCHE, LISA MITTNACHT, AND  
RICK ASCHE, Appellees**

---

**On Appeal from the Probate Court No. 2  
Dallas County, Texas  
Trial Court Cause No. PR-15-00010-2**

---

**MEMORANDUM OPINION**

Before Justices Lang, Fillmore, and Schenck  
Opinion by Justice Lang

We reinstate this appeal. Before the Court is the parties' January 2, 2018 "Joint Motion to Lift Abatement and Dismiss Appeal Pursuant to Settlement." The parties state they have settled all of their disputes arising from this litigation and request that we dismiss this appeal with each party to bear their own costs. We grant the parties' joint motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a), 43.2(f).

/Douglas S. Lang/  
DOUGLAS S. LANG  
JUSTICE

160233F.P05



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

**JUDGMENT**

BAYLOR UNIVERSITY MEDICAL  
CENTER AND MARY SUSAN  
BARNHILL, AS INDEPENDENT  
EXECUTRIX OF THE ESTATE OF  
SARAH P. ASCHE, Appellants

On Appeal from the Probate Court No. 2,  
Dallas County, Texas  
Trial Court Cause No. PR-15-00010-2.  
Opinion delivered by Justice Lang, Justices  
Fillmore and Schenck participating.

No. 05-16-00233-CV      V.

FRITZ ASCHE, VALE ASCHE ELKINS,  
CRAIG ASCHE, LISA MITTNACHT,  
AND RICK ASCHE, Appellees

In accordance with this Court's opinion of this date, we **DISMISS** the appeal pursuant to the parties' agreement.

Pursuant to the parties' agreement, we **ORDER** that each party bear its own costs of this appeal.

Judgment entered this 4th day of January, 2018.