

**Set Aside Judgment and Remand and Opinion Filed August 17, 2018**



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

**No. 05-17-01327-CV**

**IN THE INTEREST OF M.S. AND M.S., CHILDREN**

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**On Appeal from the 354th Judicial District Court  
Hunt County, Texas  
Trial Court Cause Nos. 85,193 & 85,127**

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**MEMORANDUM OPINION NUNC PRO TUNC**

Before Justices Francis, Fillmore, and Whitehill  
Opinion by Justice Francis

Before this Court is the parties' Amended Joint Expedited Motion to Set Aside Judgment and Remand to the Trial Court filed July 27, 2018. In the motion, the parties state they have entered into a mediated settlement agreement in which they agreed, among other things, to dismiss this consolidated appeal and mandamus. They request that, pursuant to Texas Rule of Appellate Procedure 42.1(a)(2)(B), we set aside the trial court's judgment without regard to the merits and remand the case.

We grant the parties' motion. We set aside the trial court's judgment without regard to the merits and remand the case to the trial court for rendition of judgment in accordance with the parties' agreement. TEX. R. APP. P. 42.1(a)(2)(B).

/Molly Francis/  
MOLLY FRANCIS  
JUSTICE



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

**JUDGMENT NUNC PRO TUNC**

IN THE INTEREST OF M.S. AND M.S.,  
CHILDREN

No. 05-17-01327-CV

On Appeal from the 354th Judicial District  
Court, Hunt County, Texas  
Trial Court Cause Nos. 85,193 & 85,127.  
Opinion delivered by Justice Francis.  
Justices Fillmore and Whitehill  
participating.

In accordance with this Court's opinion of this date, the parties' Amended Joint Expedited Motion to Set Aside Judgment and Remand to the Trial Court is **GRANTED**. The judgment of the trial court is **SET ASIDE** and this case is **REMANDED** to the trial court for rendition of judgment in accordance with the parties' agreement.

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

Judgment entered August 17, 2018.