

SET ASIDE and REMANDED and Opinion Filed November 9, 2018.



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

No. 05-18-00878-CV

RJC MIDWEST, LP, Appellant

V.

FERNANDO CANALES, Appellee

**On Appeal from the 68th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-10405**

MEMORANDUM OPINION

Before Justices Lang-Miers, Evans, and Brown
Opinion by Justice Evans

Before the Court is the parties' joint motion asking the Court to render judgment in accordance with the parties' agreement. We grant the motion. We set aside the trial court's second amended final judgment without regard to the merits and remand the case to the trial court for rendition of a take-nothing judgment in accordance with the parties' agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B).

/David Evans/
DAVID EVANS
JUSTICE



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

JUDGMENT

RJC MIDWEST, LP, Appellant

No. 05-18-00878-CV V.

FERNANDO CANALES, Appellee

On Appeal from the 68th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DC-15-10405.
Opinion delivered by Justice Evans.
Justices Lang-Miers and Brown
participating.

In accordance with this Court's opinion of this date, the trial court's second amended final judgment is **SET ASIDE** without regard to the merits and the case is **REMANDED** for rendition of a take-nothing judgment in accordance with the parties' agreement.

Subject to the parties' agreement, it is **ORDERED** that the parties shall bear their own costs of this appeal.

Judgment entered this 9th day of November, 2018.