

DISMISS and Opinion Filed October 16, 2019



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-18-01528-CV

WONYOUNG KIM, Appellant
V.
COMMISSION FOR LAWYER DISCIPLINE, Appellee

On Appeal from the 14th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-18-08792

MEMORANDUM OPINION

Before Justices Schenck, Osborne, and Reichek
Opinion by Justice Osborne

By Order dated June 18, 2019, we abated this appeal to allow further proceedings in the district court to effectuate a settlement agreement.

On September 12, 2019, the parties filed a Joint Motion to Dismiss Appeal. We reinstate this appeal. The parties report that they have reached a settlement in this appeal of the trial court's denial of appellant Wonyoung Kim's motion to dismiss pursuant to the Texas Citizens Participation Act. *See* TEX. CIV. PRAC. & REM. CODE §§ 27.001–27.011.

The joint motion reflects that the parties have reached an agreement, appellee Commission for Lawyer Discipline has filed a nonsuit of the disciplinary case underlying the appeal, and the trial court has signed an order granting nonsuit and dismissing all claims with prejudice. The parties request that we render judgment effectuating their agreement pursuant to rule of appellate

procedure 42.1(a)(2)(A). That rule provides that a court of appeals “may dispose of an appeal . . . in accordance with an agreement signed by the parties or their attorneys and filed with the clerk” and may “render judgment effectuating the parties’ agreement.” TEX. R. APP. P. 42.1(a)(2)(A). The parties also request that costs be taxed in accordance with their agreement that “each side shall bear their own costs in this appeal.”

We dismiss this appeal. We render judgment in accordance with the agreement of the parties, and order that each party bear its own costs of appeal. TEX. R. APP. P. 42.1(a)(2)(A).

/Leslie Osborne/
LESLIE OSBORNE
JUSTICE

181528F.P05



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

JUDGMENT

WONYOUNG KIM, Appellant

No. 05-18-01528-CV V.

COMMISSION FOR LAWYER
DISCIPLINE, Appellee

On Appeal from the 14th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DC-18-08792.

Opinion delivered by Justice Osborne.

Justices Schenck and Reichel participating.

In accordance with this Court's opinion of this date, we **REINSTATE** this appeal. The joint motion of appellant Wonyoung Kim and appellee Commission for Lawyer Discipline to dismiss this appeal and render judgment effectuating the parties' agreement is **GRANTED**. Pursuant to rule 42.1(a)(2)(A), Texas Rules of Appellate Procedure, this appeal is **DISMISSED**. The parties shall bear their own costs of this appeal.

Judgment entered October 16, 2019