

SET ASIDE and REMAND and Opinion Filed October 20, 2021



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

No. 05-21-00787-CV

IN THE INTEREST OF J.R. AND Y.R., CHILDREN

**On Appeal from the 301st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-20-15112**

MEMORANDUM OPINION

Before Justices Schenck, Smith, and Garcia
Opinion by Justice Smith

Stating the parties have settled and agreed to a new decree of divorce, appellant has filed an unopposed motion to remand this case to the trial court pursuant to Texas Rule of Appellate Procedure 42.1(a)(2)(B). *See* TEX. R. APP. P. 42.1(a)(2)(B). We grant the motion and, without regard to the merits, set aside the trial court's judgment and remand the case to the trial court for rendition of judgment in accordance with the parties' agreement. *See id.*

/Craig Smith/
CRAIG SMITH
JUSTICE



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

JUDGMENT

IN THE INTEREST OF J.R. AND
Y.R., CHILDREN

No. 05-21-00787-CV

On Appeal from the 301st Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DF-20-15112.
Opinion delivered by Justice Smith,
Justices Schenck and Garcia
participating.

In accordance with this Court's opinion of this date, we **SET ASIDE** the trial court's April 13, 2021 final judgment without regard to the merits and **REMAND** the case to the trial court for rendition of judgment in accordance with the parties' agreement.

Subject to the parties' agreement, we **ORDER** that appellee Miriam Rivera recover her costs, if any, of this appeal from appellant Martin Rivera.

Judgment entered October 20, 2021.