

Opinion issued July 6, 2021



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00798-CV

BRJ PAVING, INC. D/B/A BRJ ENTERPRISE, Appellant
V.
FOR THE FENCE OF IT, LLC D/B/A WACO FENCE, Appellee

On Appeal from the 80th District Court
Harris County, Texas
Trial Court Case No. 2019-15295

MEMORANDUM OPINION

Appellant, BRJ Paving, Inc., doing business as BRJ Enterprise, representing that the parties have reached a settlement agreement resolving their underlying dispute, has filed an unopposed motion to dismiss its appeal. The motion requests that the parties bear their own appellate costs. *See* TEX. R. APP. P. 42.1(d). The

certificate of conference indicates counsel for appellee, For the Fence of It, LLC doing business as Waco Fence, is unopposed to the motion. No cross appeal has been filed, and no opinion has issued. *See* TEX. R. APP. P. 42.1(c).

Accordingly, we grant the motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1), 43.2(f). We direct the Clerk for this Court that costs are to be taxed against the parties who incurred the same. *See* TEX. R. APP. P. 42.1(d). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Landau and Countiss.