

Opinion issued March 29, 2022



In The
Court of Appeals
For The
First District of Texas

NO. 01-21-00243-CV

ROSA MARIA GARCIA GONZALEZ, Appellant
V.
DANIELLE MELGOZA, Appellee

On Appeal from the 55th District Court
Harris County, Texas
Trial Court Case No. 2020-08337

MEMORANDUM OPINION

Appellant, Rosa Maria Garcia Gonzalez, has filed a “joint motion to vacate the trial court’s judgment and dismiss the appeal.” Because appellee’s counsel did not sign the motion and the certificate of conference did not state that appellee was unopposed or agreed to the relief requested in the motion, the Court held this motion

for 10 days as required by Rule 10.3(a) and no response was filed. No opinion has issued. Although entitled a joint motion to vacate and dismiss, appellant asks this Court in the body of her motion either to set aside the trial court's judgment or set aside the trial court's judgment without regard to the merits and to remand the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B).

Accordingly, we grant the motion. The appeal is dismissed, the trial court's judgment is set aside without regard to the merits, and the case is remanded to the trial court for rendition of judgment in accordance with the parties' agreement. *See id.* Any pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Landau, Hightower, and Rivas-Molloy.