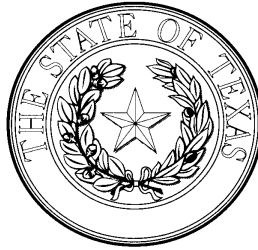


Opinion issued July 19, 2022



**In The
Court of Appeals
For The
First District of Texas**

NO. 01-22-00173-CV

**LARRY JOE CLOWERS JR., Appellant
V.
KATHLEEN ANN DAWSON, Appellee**

**On Appeal from the 189th District Court
Harris County, Texas
Trial Court Case No. 2018-84453**

MEMORANDUM OPINION

On May 19, 2022, this Court granted the parties' motion to abate the appeal so that they could finalize their settlement agreement. On June 9, 2022, the parties filed a "Joint Motion to Reverse and Remand Pursuant to Settlement," requesting that this Court "lift the abatement, reinstate the case on the Court's docket, and

reverse and remand to the trial court so that the parties’ settlement agreement can be implemented.” We interpret the parties’ joint motion as a motion to set aside the trial court’s judgment and remand the case. *See* TEX. R. APP. P. 42.1(a)(2)(B); *Stampede TX Energy, LLC v. Bridgetex Pipeline Co.*, No. 01-18-00113-CV, 2019 WL 758003, at *1 (Tex. App.—Houston [1st Dist.] Feb. 12, 2019, no pet.) (mem. op.). The joint motion also requests that the parties bear their own appellate costs and that “the mandate issue immediately.” *See* TEX. R. APP. P. 18.1(c), 42.1(d). No opinion has issued. *See* TEX. R. APP. P. 42.1(c).

We reinstate the case on the Court’s active docket. We grant the joint motion, set aside the trial court’s judgment without regard to the merits, and remand the case to the trial court for further proceedings in accordance with the parties’ settlement agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B), 43.2(f). We direct the Clerk of this Court that costs are to be taxed against the parties who incurred same and to issue the mandate concurrently with this opinion and judgment. *See* TEX. R. APP. P. 18.1(c), 42.1(d). We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Justices Kelly, Countiss, and Rivas-Molloy.