

*Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio*



MEMORANDUM OPINION

No. 04-08-00565-CV

HOSPITALITY HOUSE, INC.,
Appellant

v.

Richard Lee **SAENZ**, Delma Villarreal and Edna Saenz-Navarro,
Individually and as Representatives and
Legal Heirs of the Estate of Margarita Garza Saenz,
Appellees

From the 229th Judicial District Court, Duval County, Texas
Trial Court No. DC-0602
Honorable Alex W. Gabert, Judge Presiding

PER CURIAM

Sitting: Phylis J. Speedlin, Justice
Rebecca Simmons, Justice
Steven C. Hilbig, Justice

Delivered and Filed: December 10, 2008

REVERSED and REMANDED

The parties have filed a "Joint Motion to Dismiss the Appeal" stating they have reached a settlement, and requesting that we set aside the trial court's judgment without regard to the merits and remand the cause to the trial court for further proceedings in accordance with the parties's settlement. The motion is granted. The judgment of the trial court signed on May 5, 2008 is

reversed, and the cause is remanded to the trial court for further proceedings. *See* TEX. R. APP. P. 42.1(a)(2)(B), 43.2(d). Costs of appeal are taxed against the parties who have incurred them.

PER CURIAM