



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-12-00536-CV

John Albert **HUTTO**, Individually and d/b/a Utopia Ranch Realty,
Appellant

v.

Robert L. **CLODFELTER**,
Appellee

From the 38th Judicial District Court, Uvalde County, Texas
Trial Court No. 11-07-028210-CV
Honorable Camile G. Dubose, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Karen Angelini, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: March 6, 2013

JOINT MOTION TO VACATE AND DISMISS GRANTED; VACATED AND DISMISSED

The parties have filed a joint motion stating they have fully resolved and settled all issues in dispute. The parties ask that we vacate the trial court's judgment, dismiss the case with prejudice, and dismiss the appeal. *See* Tex. R. App. P. 42.1(a)(2)(A); 43.2(e). The motion does not recite any agreement of the parties as to costs.

We grant the motion. The judgment of the trial court is vacated without reference to the merits, the case is dismissed with prejudice, and this appeal is dismissed as moot. All costs of this appeal are taxed against appellant. *See* TEX. R. APP. P. 42.1(d).

PER CURIAM