



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-15-00563-CV

HOLLY RIDGE HEALTHCARE, P.A.,
Appellant

v.

UNITED BIOLOGICS, LLC d/b/a United Allergy Services,
Appellee

From the County Court at Law No. 5, Bexar County, Texas
Trial Court No. 2014CV02437
Honorable Jason W. Wolff, Judge Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice
Jason Pulliam, Justice

Delivered and Filed: December 23, 2015

REVERSED AND REMANDED

In this appeal of a default judgment, the parties filed a joint motion to reverse the trial court's judgment and remand the cause to the trial court for further proceedings. The parties jointly assert that service was fatally defective; we agree. See TEX. R. CIV. P. 108; *Primate Const., Inc. v. Silver*, 884 S.W.2d 151, 152 (Tex. 1994); *Indus. Models, Inc. v. SNF, Inc.*, No. 02-13-00281-CV, 2014 WL 3696104, at *4 (Tex. App.—Fort Worth July 24, 2014, no pet.) (mem. op.).

The parties' joint motion is granted; the trial court's judgment is reversed and this cause is remanded to the trial court for further proceedings. *See* TEX. R. APP. P. 42.1(a)(2), 43.2(d); *Caballero v. Heart of Texas Pizza, L.L.C.*, 70 S.W.3d 180, 181 (Tex. 2001) (per curiam).

PER CURIAM