



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-18-00247-CV

Patrick **THOMAS**,
Appellant

v.

Janice Devon **DURR**,
Appellee

From the 288th Judicial District Court, Bexar County, Texas
Trial Court No. 2017-CI-19981
Honorable Angelica Jimenez, Judge Presiding

PER CURIAM

Sitting: Irene Rios, Justice
Beth Watkins, Justice
Liza A. Rodriguez, Justice

Delivered and Filed: January 16, 2019

VACATED AND REMANDED

Appellant has filed an unopposed motion, stating that the parties have successfully mediated all issues presented in this appeal. Attached to the motion is a copy of a mediated settlement agreement signed by the parties and their attorneys. Appellant requests that the trial court's judgment be vacated, and that the case be remanded for the entry of a judgment in conformity with the parties' settlement agreement.

The motion is granted. *See* TEX. R. APP. P. 42.1(a) (allowing for the voluntary dismissal of appeals by appellant's motion or by agreement of the parties and their attorneys). The judgment of

the trial court is vacated, and the case is remanded to the trial court for the entry of a judgment in conformity with the meditated settlement agreement. *See id.* 43.2(d) (allowing appellate courts to reverse the trial court’s judgment and remand the case to the trial court for further proceedings). Costs of appeal are taxed against appellant. *See id.* 42.1(d) (“Absent agreement of the parties, the court will tax costs against the appellant.”).

PER CURIAM