

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-15-00034-CV

NORTH AMERICAN MARINE, INC., Appellant

V.

THE CHARLES HEARD LAW FIRM, PC AND CHARLES HEARD,
Appellees

On Appeal from the 284th District Court
Montgomery County, Texas
Trial Cause No. 14-03-02705 CV

MEMORANDUM OPINION

Appellant, North American Marine, Inc., and appellees, The Charles Heard Law Firm, PC and Charles Heard, filed a joint agreed motion to vacate the trial court's default judgment and to remand the case to the trial court for further proceedings. The parties represent that the appellant properly and timely perfected this restricted appeal and that reversible error is clearly present on the face of the record. *See* Tex. R. App. P. 30; *see also* *Ins. Co. of State of Pa. v. Lejeune*, 297

S.W.3d 254, 255 (Tex. 2009). The parties jointly request that we vacate the trial court's default judgment, remand the cause to the trial court for further proceedings, and order that each party bear its own costs and fees incurred as a result of this restricted appeal. *See Wilson v. Am. Builders & Contractors Supply Co., Inc.*, No. 01-12-00537-CV, 2012 WL 3234059, at *1 (Tex. App.—Houston [1st Dist.] Aug. 9, 2012, no pet.). We therefore vacate the judgment of the trial court and remand this cause for further proceedings consistent with this opinion, and order that each party bear its own costs and fees incurred as a result of this restricted appeal.

VACATED AND REMANDED.

HOLLIS HORTON
Justice

Submitted on April 8, 2015
Opinion Delivered April 9, 2015

Before Kreger, Horton, and Johnson, JJ.