

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-17-00013-CV

BENITO CANTU AND UNIMEX LOGISTICS, LLC, Appellants

V.

**SHANIQUE MOYE AND EDWARD BARLOW, INDIVIDUALLY AND
SHANIQUE MOYE A/N/F OF MALIK BARLOW AND JA'NIYAH
BARLOW, Appellees**

**On Appeal from the 60th District Court
Jefferson County, Texas
Trial Cause No. B-198,503**

MEMORANDUM OPINION

The appellants, Benito Cantu and Unimex Logistics, LLC, and the appellees, Shanique Moye and Edward Barlow, Individually and Shanique Moye a/n/f of Malik Barlow and Ja'nyah Barlow, jointly filed an agreed motion to dismiss the cause with prejudice pursuant to their settlement agreement. *See* Tex. R. App. P. 42.1(a)(2). The parties ask this Court to vacate the trial court's judgment, order all costs of court and attorneys' fees be assessed against the incurring party, and dismiss the case with

prejudice. *See* Tex. R. App. P. 43.2(e), 43.4. No party objected to this Court's notice that the case would be remanded to the trial court for approval of the minors' settlement agreement.

As requested by the parties and in accordance with the parties' agreement, we vacate the trial court's final judgment of September 22, 2016. *See* Tex. R. App. P. 43.2(d). The parties shall, by agreement, bear their own attorneys' fees and costs related to the appeal, and no party shall be responsible for any attorney's fees and costs of court incurred by any other party. *See* Tex. R. App. P. 43.4. The case is remanded to the trial court for further proceedings consistent with the parties' settlement agreement.

JUDGMENT VACATED; CASE REMANDED.

CHARLES KREGER
Justice

Submitted on May 24, 2017
Opinion Delivered May 25, 2017

Before McKeithen, C.J., Kreger and Johnson, JJ.