



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-17-00089-CV

EX PARTE D.E.

FROM THE 213TH DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NO. D213-E-12856-16

MEMORANDUM OPINION¹ AND JUDGMENT

We have considered the parties' "Joint Motion to Set Aside Trial Court's Judgment in Accordance with Settlement Agreement." It is the court's opinion that the motion should be granted; therefore, in accordance with rule 42.1(a)(2)(B), we set aside the trial court's judgment without regard to the merits and remand this case to the trial court to render judgment in accordance with the parties' agreement. See Tex. R. App. P. 42.1(a)(2)(B); *Innovative Office Systems, Inc. v. Johnson*, 911 S.W.2d 387, 388 (Tex. 1995).

¹See Tex. R. App. P. 47.4.

We have also considered the State's second motion for an extension of time to file its brief on appeal. Because we have granted the parties' motion to set aside the trial court's judgment, we deny the State's motion for extension of time as moot.

Costs of the appeal shall be paid by appellant, for which let execution issue. See Tex. R. App. P. 42.1(d).

PER CURIAM

PANEL: SUDDERTH, KERR, and PITTMAN, JJ.

DELIVERED: September 21, 2017