



**In the  
Court of Appeals  
Second Appellate District of Texas  
at Fort Worth**

---

No. 02-18-00397-CV

---

MIGUEL ANGEL LUGO GONZALEZ, Appellant

V.

MARIA ROSA LUGO, Appellee

---

On Appeal from the 324th District Court  
Tarrant County, Texas  
Trial Court No. 324-643613-18

---

Before Womack, J.; Sudderth, C.J.; and Gabriel, J.  
Per Curiam Memorandum Opinion

## MEMORANDUM OPINION AND JUDGMENT

Appellant in this case has filed an “Agreed Motion Requesting Court to Render Judgment and/or Alternatively Motion to Set Aside Judgment and Remand to Trial Court.” The motion is electronically signed by both appellant’s and appellee’s attorneys. In the motion, appellant asks this court either 1) to render judgment in accordance with the parties agreed mediated settlement agreement or 2) to set aside the trial court’s judgment and remand this case to the trial court for rendition of judgment in accordance with the parties’ agreement. *See* Tex. R. App. P. 42.1(a)(2)(A), (B). We have considered appellant’s motion, and it is the court’s opinion that the motion should be granted in part and denied in part.<sup>1</sup> Accordingly, we grant appellant’s request to set aside “the trial court’s judgment without regard to the merits and remand this case to the trial court for rendition of judgment in accordance with the agreement.” Tex. R. App. P. 42.1(a)(2)(B); *see Innovative Office Sys., Inc. v. Johnson*, 911 S.W.2d 387, 388 (Tex. 1995). Costs of the appeal shall be paid by the party incurring same, for which let execution issue. *See* Tex. R. App. P. 42.1(d).

Per Curiam

Delivered: May 30, 2019

---

<sup>1</sup>Because this court is proceeding pursuant to Rule 42.1(a)(2)(B), it is denying appellant’s requested relief under Rule 42.1(a)(2)(A). *See* Tex. R. App. P. 42.1(a)(2)(A), (B).