



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

No. 02-18-00356-CV

IN THE ESTATE OF WYNELL N. KLUTTS, DECEASED

On Appeal from the County Court
Hood County, Texas
Trial Court No. P08257

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

MEMORANDUM OPINION AND JUDGMENT

After this court issued its December 19, 2019 opinion, the parties reached a mediated settlement agreement. Accordingly, the parties have jointly filed an “Agreed Motion to Dismiss Appeal and Remand to Trial Court for Rendition of Judgment in Accordance with Mediated Settlement Agreement,” in which they ask us to set aside the trial court’s judgment without regard to the merits, to remand the case to the trial court to allow it to render judgment as contemplated by the parties’ mediated settlement agreement, and to dismiss the appeal. *See* Tex. R. App. P. 42.1(a)(2).

We grant the motion, set aside the trial court’s judgment, remand the case to the trial court for disposition as contemplated by the parties’ agreement, and dismiss the appeal. *See* Tex. R. App. P. 42.1(a)(2), 43.2(f). We withdraw our December 19, 2019 opinion. *See* Tex. R. App. P. 42.1(c).

Appellants shall pay all costs of this appeal. *See* Tex. R. App. P. 42.1(d).

Per Curiam

Delivered: April 2, 2020