

NO. 07-05-0328-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL E
OCTOBER 25, 2006

LANCE SNACK FOODS, INC.,

Appellant

v.

DELVIN L. MORRIS,

Appellee

FROM THE 99th DISTRICT COURT OF LUBBOCK COUNTY;
NO. 2004-528,650; HON. MACKEY K. HANCOCK, PRESIDING

Memorandum Opinion

Before QUINN, C.J., CAMPBELL, J., and BOYD, S.J.¹

Lance Snack Foods, Inc., appellant, and Delvin L. Morris, appellee, have filed a joint motion to reverse judgment and remand the cause. Per the request of the parties, we grant the motion, reverse the judgment, and remand the cause to the trial court for further proceedings. See *Dunn v. Canadian Oil & Gas Services, Inc.*, 908 S.W.2d 323 (Tex. App.–El Paso 1995, no pet.) (authorizing such relief). Having reversed the judgment and

¹John T. Boyd, Chief Justice (Ret.), Seventh Court of Appeals, sitting by assignment. TEX. GOV'T CODE ANN. §75.002(a)(1) (Vernon Supp. 2006).

remanded the cause to the trial court at the request of the parties, no motion for rehearing will be entertained and our mandate shall issue forthwith. All costs of appeal are taxed to appellee.

Brian Quinn
Chief Justice