

NO. 07-12-0365-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
DECEMBER 20, 2012

NORTHERN LAW FIRM, P.C. AND
VAN W. NORTHERN, INDIVIDUALLY, APPELLANTS

V.

YELLOW BOOK SALES AND DISTRIBUTION COMPANY, INC., APPELLEE

FROM COUNTY COURT AT LAW NO. 1 OF POTTER COUNTY;
NO. 098953-00-1; HONORABLE W.F. "CORKY" ROBERTS, JUDGE

Before CAMPBELL and HANCOCK and PIRTLE, JJ.

MEMORANDUM OPINION

Appellants, Northern Law Firm, P.C. and Van W. Northern, Individually, filed this appeal complaining of the trial court's summary judgment in favor of Appellee, Yellow Book Sales and Distribution Company, Inc. Pending in this Court is an agreed motion signed by both parties in which they represent the trial court committed reversible error by granting summary judgment when a fact issue existed. They request the trial court's judgment be reversed and the cause remanded for a new trial.

Pursuant to Rule 43.2(d) of the Texas Rules of Appellate Procedure, we grant the motion.¹ Accordingly, the trial court's judgment is reversed and the cause is remanded to the trial court for further proceedings.

Patrick A. Pirtle
Justice

¹See *also* Tex. R. App. P. 42.1 (Notes and Comments) (noting that a new trial may not be ordered by agreement of the parties absent reversible error).