



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-13-00370-CV

EX PARTE R.D.H.

On Appeal from the 137th District Court
Lubbock County, Texas
Trial Court No. 2013-507,177, Honorable John J. "Trey" McClendon, Presiding

July 14, 2014

MEMORANDUM OPINION

Before CAMPBELL and HANCOCK, JJ. and BOYD, S.J.¹

On June 24, 2014, the parties to this appeal filed a joint motion to reverse the judgment and render a judgment in accordance with the parties' settlement agreement. Because this motion complies with the requirements of Texas Rule of Appellate Procedure 42.1(a)(2), we will grant the motion. However, the parties request this Court to render judgment in accordance with their agreed order of expunction. See TEX. R. APP. P. 42.1(a)(2)(A). Our review of the motion and the proposed agreed order has convinced this Court that the parties actually intended that this Court set aside the trial court's judgment without regard to the merits and remand the case to the trial court for

¹ John T. Boyd, Chief Justice (Ret.), Seventh Court of Appeals, sitting by assignment.

rendition of judgment in accordance with the agreed order of the parties. See TEX. R. APP. P. 42.1(a)(2)(B). Further, in accordance with the motion, the parties will pay their own costs incurred by this appeal. See TEX. R. APP. P. 42.1(d). Because the motion is jointly filed by each of the parties, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Mackey K. Hancock
Justice