



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

No. 07-16-00276-CV

PAUL LEE KIZER, APPELLANT

V.

KIMBERLY DIANNE KIZER, APPELLEE

On Appeal from the 181st District Court
Randall County, Texas
Trial Court No. 64,057-B; Honorable John B. Board, Presiding

December 15, 2016

MEMORANDUM OPINION

Before QUINN, C.J., and CAMPBELL and PIRTLE, JJ.

Following submission of this appeal in which Appellant, Paul Lee Kizer, asked this court to determine whether a contractual obligation for support of his adult children could be enforced by a wage withholding order, he now moves to dismiss his appeal. By *Appellant's Motion to Dismiss Appeal*, Paul represents that he and Appellee, Kimberly Dianne Kizer, have reached a settlement agreement and he requests that his

notice of appeal be withdrawn. A copy of the settlement agreement is attached to Paul's motion and Kimberly does not oppose the motion.

Without passing on the merits of the case, Paul's motion is granted and the appeal is dismissed. TEX. R. APP. P. 42.1(a)(1). Having dismissed the appeal at Paul's request, no motion for rehearing will be entertained and our mandate will issue forthwith. Pursuant to the settlement agreement, all costs are to be borne by the party who incurred them.

Patrick A. Pirtle
Justice