



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

No. 07-23-00133-CV

ALVIN LANE HARBOUR, APPELLANT

V.

KAYREN ANNETTE HARBOUR, APPELLEE

On Appeal from the 84th District Court
Hutchinson County, Texas
Trial Court No. 44,291, Honorable Curt Brancheau, Presiding

August 28, 2023

ORDER OF REMAND AND DISMISSAL OF APPEAL

Before **QUINN, C.J.**, and **DOSS** and **YARBROUGH, JJ.**

Appellant, Alvin Harbour, appeals from the trial court's *Order Granting Plaintiff's Motion for Leave of Court to File Late Summary Judgment Evidence and Granting Applicant's Traditional and No-Evidence Motion for Summary Judgment*. Now pending before this Court is the parties' joint motion seeking voluntarily dismissal of the appeal. According to the motion, the parties have settled the litigation and, as terms of the settlement agreement, request that the Court "dismiss this appeal and remand the case to the district court for transfer to the county court and issuance of letters testamentary to

[Appellee, Kayren Harbour].” And, “Kayren has agreed to then transfer certain estate property to Alvin.” The motion is signed by counsel for all parties.

Pursuant to Rule of Appellate Procedure 42.1, we grant the motion, remand the appeal to the trial court to effectuate the terms of the parties’ settlement agreement, and dismiss the appeal. The appeal is dismissed. As requested by the parties, costs shall be taxed against the parties who incurred them. See TEX. R. APP. P. 42.1(d).

Per Curiam