



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-08-00131-CV

REGIONS BANK, F/K/A FIRST COMMERCIAL BANK, N.A., Appellant

V.

SOUTHWEST CONSTRUCTION RECEIVABLES, LIMITED AND
CONSTRUCTION INVOICE FUNDING LTD., ET AL., Appellees

On Appeal from the 202nd Judicial District Court
Bowie County, Texas
Trial Court No. 99C0985-202

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Justice Carter

MEMORANDUM OPINION

Appellant, Regions Bank, f/k/a First Commercial Bank, N.A., and appellees, Southwest Construction Receivables, Limited, Construction Invoice Funding, Ltd., Dennis O'Banion, and Dan W. Moore, have filed a joint motion for severance and remand, informing this Court that they have reached a settlement. In such a case, no real controversy exists, and in the absence of a controversy, the appeal is moot.

We grant the motion. We set aside without regard to the merits the judgment of the trial court and remand the case to the trial court for rendition of judgment in accordance with the agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B).

Jack Carter
Justice

Date Submitted: November 13, 2008
Date Decided: November 14, 2008