



**IN THE
TENTH COURT OF APPEALS**

No. 10-10-00042-CV

CITY OF GLENN HEIGHTS, TEXAS,

Appellant

v.

BILL BEARDEN,

Appellee

**From the 40th District Court
Ellis County, Texas
Trial Court No. 77669**

MEMORANDUM OPINION

The parties have filed an "Agreed Motion to Vacate Judgment of the Trial Court and Dismiss the Appeal," which states that they have settled the dispute underlying this appeal. The parties ask us to vacate the judgment of the trial court, dismiss the appeal, and remand the case to the trial court for further proceedings related to dismissal of the underlying case in accordance with the parties' agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B).

The agreed motion is granted. Accordingly, we set aside the trial court's judgment without regard to the merits, dismiss this appeal, and remand the case to the trial court for further proceedings related to dismissal of the underlying case in accordance with the parties' agreement.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Reyna, and
Justice Davis

Motion granted; judgment set aside; appeal dismissed
and case remanded

Opinion delivered and filed May 19, 2010
[CV06]