



**IN THE
TENTH COURT OF APPEALS**

No. 10-11-00015-CV

**SCOTT J. SCHERR, JOHN W. CLANTON
AND FIBERTOWN DC, LLC,**

Appellants

v.

VANCE SWAGGERTY,

Appellee

**From the 85th District Court
Brazos County, Texas
Trial Court No. 10-000935-CV-85**

MEMORANDUM OPINION

Scott J. Scherr has filed a motion to dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1). Scherr states that the parties have entered into a settlement agreement and no longer wish to pursue the appeal. Dismissal of this appeal would not prevent a party from seeking relief to which it would otherwise be entitled. The motion is granted, and the appeal is dismissed.

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Motion granted; appeal dismissed
Opinion delivered and filed March 2, 2011
[CV06]