



IN THE
TENTH COURT OF APPEALS

No. 10-12-00379-CV

MARGARET ELAINE WALKER,

Appellant

v.

GUADALUPE VASQUEZ, SR., INDIVIDUALLY,
AND AS REPRESENTATIVE OF THE ESTATE
OF SILVIA VASQUEZ, DECEASED, GUADALUPE
VASQUEZ, JR., VERONICA VASQUEZ, BLANCA
VASQUEZ AND ROGELIO VASQUEZ,

Appellees

From the 40th District Court
Ellis County, Texas
Trial Court No. 82966

MEMORANDUM OPINION

The parties have filed an agreed motion in which they ask this Court to vacate the trial court's judgment, remand the case back to the trial court, and dismiss the appeal. The parties have reached an agreement to settle their differences in the underlying proceeding.

Because we have no authority to vacate the trial court's judgment, remand the case, and dismiss the appeal, we grant the motion in part. *See* TEX. R. APP. P. 42.1(a)(2); 43.2.

The trial court's judgment dated July 20, 2012 is set aside without regard to the merits and is remanded to the trial court for further proceedings consistent with the settlement agreement. TEX. R. APP. P. 42.1(a)(2)(B).

There being no agreement of the parties as to costs, it is further ordered that costs of this appeal are taxed against Margaret Elaine Walker. *Id.* (d).

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Set aside and remanded
Opinion delivered and filed November 8, 2012
[CV06]