



**IN THE
TENTH COURT OF APPEALS**

No. 10-13-00359-CV

IN THE INTEREST OF D.W., A CHILD

**From the 74th District Court
McLennan County, Texas
Trial Court No. 2012-3914-3**

MEMORANDUM OPINION

The trial court's termination order in this case terminated the parent-child relationship between the Appellant D.W. (the father) and E.F. (the mother) to their child, D.W. E.F. did not appeal.

Appellant, Appellee Texas Department of Family and Protective Services, and the attorney ad litem for the child D.W. have now filed a joint and agreed motion to set aside the judgment without regard to the merits and to remand the case to the trial court for entry of an agreed order terminating Appellant's parental rights to the child D.W. based on Appellant's recent execution of a relinquishment affidavit.

Based on the parties' agreement and the joint and agreed motion, we reverse that

portion of the trial court's termination order terminating only Appellant D.W.'s parental rights to the child D.W., remand this case to the trial court for entry of an agreed order in accordance with the parties' agreement, *see* TEX. R. APP. P. 42.1(a)(2)(B), and leave the remaining portions of the trial court's termination order as to the termination of E.F.'s parental rights to the child D.W. undisturbed and in full force and effect.

We also grant the parties' request for issuance of the mandate contemporaneously with this opinion so that the trial court can enter the agreed order of termination and Appellee can proceed with adoption proceedings for the child. *See* TEX. R. APP. P. 18.1(c).

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Reversed in part and remanded
Opinion delivered and filed February 27, 2014
[CV06]