



**IN THE
TENTH COURT OF APPEALS**

No. 10-13-00134-CV

KENNETH MICHAEL CLULEY,

Appellant

v.

JANE DOE,

Appellee

**From the 414th District Court
McLennan County, Texas
Trial Court No. 2012-1144-5**

MEMORANDUM OPINION

Jane Doe filed suit against Kenneth Michael Cluley for personal injuries arising from a sexual assault. After a jury trial, the trial court entered judgment in favor of Jane Doe, and Cluley appealed. The parties have now filed a joint motion in which they ask this Court to reverse and remand pursuant to a settlement. The parties further ask for an expedited issuance of the mandate. We grant the parties' motion.

Accordingly, the trial court's judgment is set aside without regard to the merits and this case is remanded to the trial court for further proceedings consistent with the

settlement agreement. TEX. R. APP. P. 42.1(a)(2)(B). We also grant the parties' request for issuance of the mandate contemporaneously with this opinion so that the trial court can enter the judgment in accordance with the terms of the settlement. *See* TEX. R. APP. P. 18.1(c).

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Motion granted; judgment set aside and remanded
Opinion delivered and filed August 28, 2014
[CV06]