

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-05-00062-CV

Jay W. Harrington, Appellant

v.

**Premiere Cinema Corporation and Gary Moore
Companies d/b/a GMCI, Appellees**

**FROM THE DISTRICT COURT OF BELL COUNTY, 169TH JUDICIAL DISTRICT
NO. 196,665-C, HONORABLE GORDON G. ADAMS, JUDGE PRESIDING**

MEMORANDUM OPINION

The parties have filed a joint motion to reverse the trial court's judgment and remand the cause to the trial court, stating that the cause is governed by the supreme court's decision in *Garza v. Exel Logistics, Inc.*, No. 02-1187, 2005 Tex. LEXIS 297 (Apr. 5, 2005). We grant the motion, reverse the trial court's judgment, and remand the cause for further proceedings.

David Puryear, Justice

Before Chief Justice Law, Justices B. A. Smith and Puryear

Reversed and Remanded on Joint Motion

Filed: June 30, 2005