

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-08-00654-CV

Jose Resendez, Appellant

v.

**Adnan Awad, Individually and d/b/a Beverage Barn; and Doreid Awad, Individually and
d/b/a Beverage Barn, Appellees**

**FROM THE DISTRICT COURT OF BASTROP COUNTY, 335TH JUDICIAL DISTRICT
NO. 26,261, HONORABLE REVA TOWSLEE-CORBETT, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Jose Resendez has filed an unopposed motion asking this Court to abate this appeal and remand the proceedings to the trial court. The motion states that the parties have reached a settlement agreement. Accordingly, we grant the motion, abate the appeal, and permit proceedings in the trial court to effectuate the parties' agreement. *See* Tex. R. App. P. 42.1(a)(2)(C). The appeal shall be abated until such time as the parties file a motion to reinstate and dismiss the appeal, no later than February 10, 2009. If the agreement is not finalized by that date, the parties shall file a report advising this Court on the status of the proceedings in the trial court.

Bob Pemberton, Justice

Before Chief Justice Law, Justices Puryear and Pemberton

Abated

Filed: December 12, 2008