

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-09-00070-CV

Texas Department of Public Safety, Appellant

v.

**Walter Lawrence Chabert II, Individually and as Administrator of the Estate of
Walter Lawrence Chabert; and Stefanie Chabert Karnes, Individually, Appellees**

**FROM THE COUNTY COURT AT LAW NO. 1 OF TRAVIS COUNTY
NO. C-1-CV-08-005227, HONORABLE J. DAVID PHILLIPS, JUDGE PRESIDING**

MEMORANDUM OPINION

The parties have filed a joint motion to abate the appeal, representing that they 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 August 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 Justices Patterson, Pemberton and Waldrop

Abated

File: June 11, 2009