

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00446-CV

Michael David Hickey, Appellant

v.

Cruz Salazar, Appellee

**FROM THE DISTRICT COURT OF HAYS COUNTY, 428TH JUDICIAL DISTRICT
NO. 11-2234, HONORABLE WILLIAM HENRY, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Michael David Hickey has filed an agreed motion to dismiss his appeal, requesting that this Court set aside a default judgment without regard to the merits and remand the cause to the district court for the rendition of a take-nothing judgment in accordance with the terms of the parties' settlement agreement. We grant Hickey's motion, set aside the default judgment without regard to the merits and remand the cause to the district court for rendition of judgment in accordance with the parties' agreement. *See* Tex. R. App. P. 42.1(a)(2)(B).

Bob Pemberton, Justice

Before Justices Puryear, Pemberton and Henson

Reversed and Remanded on Agreed Motion

Filed: August 17, 2012