

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-13-00235-CV**

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**Rose Whitworth, Appellant**

**v.**

**Joseph Paul Lee, Appellee**

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**FROM THE DISTRICT COURT OF TOM GREEN COUNTY, 340TH JUDICIAL DISTRICT  
NO. C-12-0782-F, HONORABLE JAY K. WEATHERBY, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant Rose Whitworth has filed a motion requesting that this Court set aside the district court's judgment without regard to the merits and remand the case to the district court for rendition of judgment in accordance with the parties' settlement agreement. Appellee Joseph Paul Lee has not opposed this relief. We grant Whitworth's motion, set aside the district court's judgment without regard to the merits, and remand the case to the district court for rendition of judgment in accordance with the parties' agreement. *See* Tex. R. App. P. 42.1(a)(2)(B).

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Bob Pemberton, Justice

Before Chief Justice Jones, Justices Pemberton, and Field

Vacated and Remanded

Filed: August 16, 2013