

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00729-CV

Meridian Grace, Appellant

v.

Jessica Stapher Thompson and Marc Thompson, Appellees

**FROM THE COUNTY COURT AT LAW NO. 1 OF TRAVIS COUNTY
NO. C-1-CV-12-004601, HONORABLE ERIC SHEPPERD, JUDGE PRESIDING**

S U P P L E M E N T A L O P I N I O N

On October 8, 2012, the county court entered judgment against appellant Meridian Grace, awarding appellees Jessica Stapher Thompson and Marc Thompson \$2,850 in actual damages representing their security deposit, \$100 in statutory damages, \$8,550 in treble damages, and \$3,500 in attorney's fees. On July 3, 2014, we issued a memorandum opinion reversing and remanding that portion of the trial court's judgment awarding treble damages for Grace's withholding of the Thompsons' security deposit. We also held that the evidence was insufficient to support the full amount of the awarded security deposit.

In response to our opinion, the Thompsons have informed this Court that they have filed a remittitur with the clerk of the county court, reducing the court's award of their security deposit. In accordance with our prior opinion, we (1) reverse and remand the county court's judgment awarding treble damages and remand that portion of the judgment for further proceedings; (2) reform that portion of the county court's judgment awarding the

Thompsons \$2,350 as a return of their security deposit instead of \$2,850 and, as reformed, affirm the county court's judgment on that claim; and (3) affirm the county court's judgment in all other respects.

Scott K. Field, Justice

Before Chief Justice Jones, Justices Goodwin and Field
Concurring and Dissenting Opinion by Justice Goodwin

Affirmed in Part; Reformed and, as Reformed, Affirmed in Part; Reversed and Remanded in Part

Filed: August 13, 2014