

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

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**NO. 03-14-00315-CV**

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**Jadon F. Newman, Appellant**

**v.**

**Firstmark Credit Union, Appellee**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 353RD JUDICIAL DISTRICT  
NO. D-1-GN-13-000808, HONORABLE ERIC SHEPPERD, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

On August 21, 2015, a panel of this Court issued its opinion and judgment in this appeal. Appellant then filed a motion for rehearing. While the motion was pending, appellant filed an agreed motion to dismiss based on the parties' settlement of this case.

The motion to dismiss is granted. This Court's judgment of August 21, 2015, is withdrawn, and the appeal is dismissed. *See* Tex. R. App. P. 42.1(a)(1). Costs will be taxed against appellant. *See id.* 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Appellants' motion for rehearing is dismissed as moot. Pursuant to Rule 42.1(c), this Court's opinion issued on August 21, 2015, is not withdrawn. *See id.* 42.1(c).

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Melissa Goodwin, Justice

Before Chief Justice Rose, Justices Goodwin and Bourland

Dismissed on Appellant's Motion

Filed: December 31, 2015