



NUMBER 13-10-00507-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

MARILYN TINDOL,

Appellant,

v.

GARY PHILLIP TINDOL,

Appellees.

**On appeal from the 36th District Court
of Live Oak County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Garza and Benavides
Memorandum Opinion Per Curiam**

This case is before the Court on appellant's agreed motion to set aside the trial court's judgment without regard to the merits and remand to the trial court for rendition of judgment. The parties have reached an agreement with regard to the disposition of the matters currently on appeal. Pursuant to agreement, the parties request this Court to set

aside the trial court's judgment without regards to the merits, and remand this case to the trial court for rendition of a judgment in accordance with the agreement of the parties.

The joint motion to set aside and remand is GRANTED. Accordingly, we SET ASIDE the trial court's judgment without regard to the merits, and REMAND this case to the trial court for rendition of judgment in accordance with the parties' agreement. See TEX. R. APP. P. 42.1(a)(2)(B). Costs will be taxed against appellant. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant.").

PER CURIAM

Delivered and filed the
6th day of October, 2011.