



NUMBER 13-10-00411-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**KEN FLEMING AND PAUL BARRETT,
DIRECTORS OF FAMILY LIFE REVIVAL
CENTER, INC.,**

APPELLANTS,

v.

**CHARLES EDWARD BARBER,
DIRECTOR OF FAMILY LIFE REVIVAL
CENTER, INC.,**

APPELLEE.

**On appeal from the 13th District Court
of Navarro County, Texas.**

MEMORANDUM OPINION

**Before Justices Vela, Perkes, and Hill¹
Memorandum Opinion Per Curiam**

¹ Retired Second Court of Appeals Justice John G. Hill assigned to this Court by the Chief Justice of the Supreme Court of Texas pursuant to the government code. See TEX. GOV'T CODE ANN. § 74.003 (Vernon 2005).

Appellants, Ken Fleming and Paul Barrett, perfected an appeal from a judgment entered by the 13th District Court of Navarro County, Texas, in cause number 07-16291-CV. The parties have filed a joint motion to dismiss on grounds that all matters in controversy between them in this cause have been fully compromised and settled. The parties request that this Court dismiss the appeal.

The Court, having considered the documents on file and the joint motion to dismiss, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). The joint motion to dismiss is granted, and the appeal is hereby DISMISSED. In accordance with the agreement of the parties, costs are taxed against the party incurring same. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Having dismissed the appeal at appellants' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Delivered and filed the
14th day of April, 2011.