



**NUMBER 13-16-00264-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**ROBERT GREGORY COLE,**

**Appellant,**

**v.**

**WAL-MART STORES TEXAS, LLC,**

**Appellee.**

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**On appeal from the County Court at Law No. 2  
of Cameron County, Texas.**

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**MEMORANDUM OPINION**

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

On September 22, 2016, this Court issued an opinion and judgment in this appeal, dismissing the appeal for want of prosecution. The parties have now filed a joint motion to dismiss the appeal. The parties represent in the motion that they have reached a settlement and ask the Court to render judgment effectuating the parties' agreement. The parties have agreed: that appellant takes nothing on all causes of action asserted

by appellant against appellee Wal-Mart Stores Texas, LLC and that appellant will bear and be responsible his own attorney's fees, costs and expenses arising from or related in any way to the incident, the suit, the appeal or the agreement reached between the parties.

The Court having examined and fully considered the joint motion filed by the parties, is of the opinion that it should be GRANTED. Accordingly, we withdraw our opinion and judgment of September 22, 2016, RENDER judgment effectuating the parties' settlement agreement, and DISMISS the appeal. In accordance with the agreement of the parties, costs will be taxed against appellant.

PER CURIAM

Delivered and filed the  
6th day of October, 2016.