



NUMBER 13-14-00650-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE ROBERT PENA AND TRADE CARRIERS, L.L.C.

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Justices Garza, Perkes, and Longoria
Memorandum Opinion Per Curiam¹**

Relators, Robert Pena and Trade Carriers, L.L.C., filed a petition for writ of mandamus seeking to compel the trial court to vacate its November 16, 2016 nunc pro tunc order. This Court granted emergency relief and requested the real party in interest, Liliana Perez Garcia, to file a response to the petition for writ of mandamus. The parties have now filed a joint motion to dismiss this original proceeding on grounds that they have

¹ See TEX. R. APP. P. 52.8(d) (“When denying relief, the court may hand down an opinion but is not required to do so.”); TEX. R. APP. P. 47.4 (distinguishing opinions and memorandum opinions).

fully settled and compromised all claims and causes of action between and among them. They request that we dismiss this petition for writ of mandamus with all appellate costs to be adjudged against the party incurring same.

The Court, having examined and fully considered the joint motion to dismiss, is of the opinion that it should be granted. Accordingly, we LIFT the stay previously imposed in this cause, GRANT the joint motion to dismiss, and DISMISS this cause with appellate costs adjudged against the party incurring same. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Delivered and filed the
19th day of December, 2016.