



NUMBER 13-18-00159-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

DEL MAR COLLEGE,

Appellant,

v.

BRUCE OLSON,

Appellee.

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

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Longoria and Perkes
Memorandum Opinion by Justice Perkes**

On December 20, 2018, this appeal was abated to allow the parties to negotiate and finalize a full and complete settlement. This cause is before the Court on a joint agreed motion to lift abatement, reverse the trial court's judgment and render judgment dismissing the parties' claims with prejudice.

According to the joint agreed motion, the parties have reached an agreement to settle and compromise their differences. They ask this Court to (1) lift the abatement; (2) reverse the trial court's judgment; (3) render judgment dismissing the parties' claims with prejudice to refiling same; (4) release the surety on the supersedeas bond; and (5) assess costs of this appeal against the party incurring same.

The Court, having considered the documents on file and the joint agreed motion, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a)(2)(A). Accordingly, we lift the abatement and reinstate the case. We REVERSE the trial court's judgment, RENDER judgment dismissing the parties' claims with PREJUDICE to refiling same, RELEASE the surety on the supersedeas bond, and assess costs of the appeal against the party incurring same. Having dismissed the appeal at the parties' request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

GREGORY T. PERKES
Justice

Delivered and filed the
23rd day of May, 2019.