



NUMBER 13-18-00568-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

**SERVICE CORPORATION INTERNATIONAL
AND SCI TEXAS FUNERAL SERVICES, INC.
JOINTLY D/B/A VALLEY MEMORIAL GARDENS;
OCTAVIO PADILLA, AND DANIEL GARZA,**

Appellants,

v.

VIRGINIA MARTINEZ, ET AL.,

Appellees.

**On appeal from the 398th District Court
of Hidalgo County, Texas.**

MEMORANDUM OPINION

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

This is an interlocutory appeal of an order, dated September 24, 2018, granting in part and denying in part a motion to compel arbitration filed by appellants. We abated the appeal on February 19, 2019, pursuant to the joint request of the parties. Appellants have

now filed an “Unopposed Motion to Dismiss Appeal and Issue Mandate” stating that the parties have executed a settlement agreement and the trial court has signed an order dismissing the underlying case. Appellants ask us to dismiss the appeal and issue the mandate immediately with our judgment. Appellants further represent that the parties agreed that costs of court shall be taxed against the party incurring same.

This Court, having considered the documents on file and appellants’ motion, is of the opinion that the motion should be granted. Accordingly, we GRANT appellants’ motion, REINSTATE the appeal, and DISMISS the appeal in accordance with appellants’ request. See TEX. R. APP. P. 42.1(a)(2)(B). As per the parties’ agreement, costs of court shall be taxed against the party incurring same. See TEX. R. APP. P. 42.1(d). Pursuant to the parties’ request, our mandate will issue forthwith. See TEX. R. APP. P. 18.1(c).

DORI CONTRERAS
Chief Justice

Delivered and filed the
13th day of June, 2019.