



NUMBER 13-18-00451-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

**LUIS DE JESUS LARA MUNOZ AND
UNIMEX LOGISTICS, L.L.C.,**

Appellants,

v.

RAY CASTILLO,

Appellee.

**On appeal from the 370th District Court
of Hidalgo County, Texas.**

SUPPLEMENTAL MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Longoria and Hinojosa
Supplemental Memorandum Opinion by Chief Justice Contreras**

A jury awarded over \$2.8 million in damages to appellee Ray Castillo in his personal injury suit against appellants Luis de Jesus Lara Munoz and Unimex Logistics, L.L.C. In our memorandum opinion of April 9, 2020, we suggested a remittitur of \$283,700, representing damages awarded to appellee for future medical expenses which

were supported by factually insufficient evidence. We stated that, if Castillo remits that amount within fifteen days of our judgment, then the trial court's error will be cured and we will supplement the opinion to affirm the trial court's judgment as modified, thereby rendering a new trial unnecessary. See TEX. R. APP. P. 46.3, 46.5; *Peshak v. Greer*, 13 S.W.3d 421, 428 (Tex. App.—Corpus Christi—Edinburg 2000, no pet.).

On April 13, 2020, appellee timely filed his consent to the suggestion of remittitur and asked this Court to modify the trial court's judgment, consistent with our memorandum opinion. Therefore, we vacate our judgment, but not our memorandum opinion, of April 9, 2020, and we modify the trial court's judgment to delete the award of \$283,700 in damages for future medical expenses which were supported by factually insufficient evidence. See TEX. R. APP. P. 46.3, 46.5. The trial court's judgment is affirmed as modified herein. See TEX. R. APP. P. 43.2(b). This Court's memorandum opinion of April 9, 2020, otherwise remains in effect.

DORI CONTRERAS
Chief Justice

Delivered and filed the
14th day of April, 2020.