



**NUMBER 13-23-00129-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**D'ANN HARPER REALTY, INC.  
AND LEESA RISPOLI,**

**Appellants,**

**v.**

**LEE SWEARINGEN AND  
THE RON BROWN COMPANY,**

**Appellees.**

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**On appeal from the 135th District Court  
of Victoria County, Texas.**

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**MEMORANDUM OPINION**

**Before Chief Justice Contreras and Justices Silva and Peña  
Memorandum Opinion by Chief Justice Contreras**

This is an accelerated appeal of an order denying a motion to compel arbitration. We previously ordered a stay of all trial court proceedings by order dated April 3, 2023. On April 19, 2023, we lifted the stay in part. The parties have now filed a "Joint Notice of Settlement and Motion to Dismiss" representing that they "have reached an agreement

to settle all claims in the underlying action.” They request this Court to dismiss the appeal and to tax costs against the party incurring same.

Upon review of the parties’ motion to dismiss, we find that it is meritorious and should be granted. Accordingly, the motion to dismiss is granted, the stay of trial court proceedings is lifted in its entirety, and the appeal is hereby dismissed. In accordance with the parties’ agreement, costs are taxed against the party incurring same. See TEX. R. APP. P. 42.1(a)(2)(A), (d). Having dismissed the appeal at the parties’ request, no motion for rehearing will be entertained.

DORI CONTRERAS  
Chief Justice

Delivered and filed on the  
17th day of August, 2023.