

NO. 12-12-00119-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

<i>IN THE INTEREST</i>	§	<i>APPEAL FROM THE 173RD</i>
<i>OF S.S., K.S., AND</i>	§	<i>JUDICIAL DISTRICT COURT</i>
<i>R.W., JR., CHILDREN</i>	§	<i>HENDERSON COUNTY, TEXAS</i>

***MEMORANDUM OPINION
PER CURIAM***

The Texas Department of Family and Protective Services (the State), S.S. (the children’s mother), Raymond L. Shackelford, III, attorney ad litem for the children (S.S.1, K.S., and R.W., Jr.), and C.S., the intervenor, have filed a “Joint Motion to Set Aside Judgment and Remand to the Trial Court for Rendition in Accordance with the Agreement of the Parties.” The State has also provided a file-marked copy of a document entitled “Irrevocable Rule 11 Agreement,” which includes the signatures of several individuals, including the attorney for the State; S.S. and her attorney; Raymond Shackelford, III, attorney ad litem for the children; and C.S., the intervenor. This Rule 11 Agreement memorializes the settlement of the issues in this appeal. Accordingly, pursuant to Texas Rule of Appellate Procedure 42.1 and without regard to the merits of the appeal, we **grant** the motion and set aside the trial court’s judgment signed on March 8, 2012. *See* TEX. R. APP. P. 42.1(a)(2)(B). We **remand** the case to the trial court for rendition of a judgment in accordance with the parties’ settlement agreement. S.S. and the children previously filed a motion for rehearing, which we **dismiss** as moot.

Opinion delivered June 12, 2013.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)



**COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT**

JUNE 12, 2013

NO. 12-12-00119-CV

IN THE INTEREST OF S.S., K.S., AND R.W., JR., CHILDREN

Appeal from the 173rd Judicial District Court
of Henderson County, Texas. (Tr.Ct.No.2009A-635)

THIS CAUSE came to be heard on the “Joint Motion to Set Aside Judgment and Remand to the Trial Court for Rendition in Accordance with the Agreement of the Parties” filed herein, and the same being considered, because it is the opinion of this court that the motion should be **granted** and the trial court’s judgment signed on March 8, 2012 should be set aside, it is ORDERED, ADJUDGED and DECREED by this court that the judgment signed on March 8, 2012 be **set aside** and the cause **remanded** to the trial court for rendition of a judgment in accordance with the parties’ settlement agreement; and that this decision be certified to the court below for observance.

By *per curiam* opinion.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.