

NO. 12-15-00117-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*SOUTHERN METHODIST  
UNIVERSITY,  
APPELLANT*

§ *APPEAL FROM THE 294TH*

*V.*

§ *JUDICIAL DISTRICT COURT*

*RIO BRAZOS ENERGY CO.,  
APPELLEE*

§ *VAN ZANDT COUNTY, TEXAS*

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*MEMORANDUM OPINION  
PER CURIAM*

The parties have filed a joint motion in which they ask this court to set aside the judgment of the trial court without regard to the merits and remand the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B).

After considering the parties' joint motion, the court is of the opinion that it should be granted. Accordingly, we *grant* the motion, *set aside* the trial court's judgment without regard to the merits, and *remand* the case to the trial court for rendition of judgment in accordance with the parties' agreement. *See* TEX. R. APP. P. 42.1(a)(2)(B). The parties do not specify how appellate costs are to be taxed. Therefore, costs are taxed against Appellant. *See* TEX. R. APP. P. 42.1(d).

Opinion delivered July 22, 2015.

*Panel consisted of Worthen, C.J., Hoyle, J., and Neeley, J.*

(PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

JULY 22, 2015

NO. 12-15-00117-CV

**SOUTHERN METHODIST UNIVERSITY,**  
Appellant  
V.  
**RIO BRAZOS ENERGY CO.,**  
Appellee

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Appeal from the 294th District Court  
of Van Zandt County, Texas (Tr.Ct.No. 10-00927)

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THIS CAUSE came on to be heard on the joint motion to set aside the judgment of the trial court without regard to the merits and remand the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement, and the same being considered, it is hereby ORDERED, ADJUDGED and DECREED by this Court that the motion to set aside the trial court's judgment without regard to the merits be **granted**, the trial court's judgment be, and hereby is, **set aside**, and the case is **remanded** to the trial court for rendition of judgment in accordance with the parties' agreement. It is further ORDERED, ADJUDGED and DECREED that all costs of this appeal are hereby adjudged against the appellant, **SOUTHERN METHODIST UNIVERSITY**, for which execution may issue, and that this decision be certified to the court below for observance.

By *per curiam* opinion.  
Panel consisted of Worthen, C.J., Hoyle, J. and Neeley, J.