

NO. 12-15-00227-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

C. AUBREY SMITH AND JAMES D. VAN DEVENTER,
APPELLANTS § *APPEAL FROM THE 114TH*
JUDICIAL DISTRICT COURT

V.

A.B.S.H., LLC, § *SMITH COUNTY, TEXAS*
APPELLEE

MEMORANDUM OPINION
PER CURIAM

Appellants have filed a motion to dismiss this appeal. In their motion, Appellants allege that they and Appellee have executed a settlement agreement resolving all their disputes. The motion complies with the requirements of Texas Rule of Appellate Procedure 42.1(a)(1). Accordingly, Appellant's motion to dismiss is *granted*, and the appeal is *dismissed* with prejudice in accordance with the parties' agreement. *See* TEX. R. APP. P. 42.1(a)(1).

Opinion delivered December 30, 2015.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

DECEMBER 30, 2015

NO. 12-15-00227-CV

C. AUBREY SMITH AND JAMES D. VAN DEVENTER,

Appellant

V.

A.B.S.H., LLC,

Appellee

Appeal from the 114th District Court
of Smith County, Texas (Tr.Ct.No. 15-1584-B)

THIS CAUSE came on to be heard on the motion of the Appellants to dismiss the appeal herein, and the same being considered, it is hereby ORDERED, ADJUDGED and DECREED by this Court that the motion to dismiss be **granted** and the appeal be **dismissed with prejudice**, and that the decision be certified to the court below for observance.

By *per curiam* opinion.

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