

NO. 12-16-00194-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

ECI SOFTWARE SOLUTIONS, INC. § *APPEAL FROM THE 115TH*
FORMERLY KNOWN AS E
COMMERCE INDUSTRIES, INC.,
APPELLANT

V. § *JUDICIAL DISTRICT COURT*

PROSPERITY COMPUTER
SOLUTIONS, LLC, WADE ELLISON,
DAVID BLACKSTONE AND DAVID
HOUSER, § *UPSHUR COUNTY, TEXAS*
APPELLEES

MEMORANDUM OPINION
PER CURIAM

ECI Software Solutions, Inc., formerly known as E Commerce Industries, Inc., has filed an agreed motion to dismiss this appeal. In its motion, ECI states that the parties have reached a resolution of their dispute and have agreed to dismiss the appeal. The motion is signed by counsel for each party. Because ECI has met the requirements of Texas Rule of Appellate Procedure 42.1(a)(1), we *grant* the agreed motion, and *dismiss* the appeal. *See* TEX. R. APP. P. 42.1(a)(1). In accordance with the parties' agreement, costs on appeal are taxed against the party incurring them. *See* TEX. R. APP. P. 42.1(d).

Opinion delivered November 9, 2016.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

NOVEMBER 9, 2016

NO. 12-16-00194-CV

ECI SOFTWARE SOLUTIONS, INC. FORMERLY KNOWN AS
E COMMERCE INDUSTRIES, INC.,

Appellant

V.

PROSPERITY COMPUTER SOLUTIONS, LLC, WADE ELLISON,
DAVID BLACKSTONE AND DAVID HOUSER,

Appellees

Appeal from the 115th District Court
of Upshur County, Texas (Tr.Ct.No. 16-00320)

THIS CAUSE came on to be heard on the agreed motion of the Appellant to dismiss the appeal herein, and the same being considered, it is the opinion of this court that the motion to dismiss be **granted**.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed** and that all costs of this appeal be, and the same are, adjudged against the party that incurred them; 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.