



NUMBER 13-20-00245-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

STALLION PRODUCTION SERVICES, L.P.,

Appellant,

v.

ATREYU MUNIZ,

Appellee.

**On appeal from the 24th District Court
of DeWitt County, Texas.**

MEMORANDUM OPINION

**Before Justices Hinojosa, Perkes, and Tijerina
Memorandum Opinion Per Curiam**

Appellant Stallion Productions, L.P. filed an appeal in appellate cause number 13-19-00615-CV, styled *Stallion Production Services, L.P. v. Atreyu Muniz and Lloyd Kulik*. Stallion and Muniz filed a joint motion signed by their attorneys informing the Court that the parties have reached a settlement agreement and asking that we dismiss the appeal

against Muniz and vacate the trial court's judgment as it pertains to Muniz. Contemporaneous with this memorandum opinion, we issued an order severing the appeal between Stallion and Muniz from the original appeal and docketed it under this cause number.

Texas Rule of Appellate Procedure 42.1 allows the Court to partially dismiss an appeal in accordance with an agreement if doing so will not prejudice the remaining parties. TEX. R. APP. P. 42.1(a)(2), (b). More than thirty days have passed since the motion was filed and Kulik has not filed a response to the motion. Further, Rule 42.1(a)(2)(A) allows us to render a judgment effectuating the parties' agreement. The Court, having considered the documents on file and the joint motion, is of the opinion that the motion should be granted.

Accordingly, the joint motion is hereby GRANTED, Stallion's appeal against Muniz is DISMISSED, and the trial court's judgment is VACATED as to Muniz only. Costs are taxed against Stallion. See *id.* R. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant.").

PER CURIAM

Delivered and filed the
16th day of July, 2020.