

COURT OF APPEALS, EIGHTH DISTRICT OF TEXAS, EL PASO

Gregory Walberg and Evelyn Walberg v. Delton Weiser, Virginia Weiser, Mark Stites, Kathy Stites, and James P. Marchak

Walberg v. Weiser · No. 08-25-00273-CV · Decided June 19, 2026

SUMMARY

The Eighth District Court of Appeals of Texas granted the parties' agreed motion to dismiss the appeal as moot. The parties had settled the underlying dispute and obtained an agreed dismissal order vacating the order challenged on appeal.

OPINION

PER CURIAM.

COURT OF APPEALS EIGHTH DISTRICT OF TEXAS EL PASO, TEXAS No. 08-25-00273-CV Gregory Walberg and Evelyn Walberg, Appellants v. Delton Weiser, Virginia Weiser, Mark Stites, Kathy Stites, and James P. Marchak, Appellees On Appeal from the 395th District Court Williamson County, Texas Trial Court No. 21-0740-C425 M E M O R A N D U M O P I N I O N 1 Before the Court is the parties' agreed motion to dismiss this appeal as moot.

The parties inform us that they have “settled their dispute and have entered an agreed order of dismissal in the underlying suit that vacated the order from which this appeal was taken.” The motion complies 1 This case was transferred pursuant to the Texas Supreme Court’s docket equalization efforts. Tex. Gov’t Code § 73.001.

We follow the precedent of the Third Court of Appeals to the extent it might conflict with our own. See Tex. R. App. P. 41.3. with Texas Rule of Appellate Procedure 42.1. See Tex. R. App. P. 42.1(a)(2). We grant the motion and dismiss the appeal. See Tex. R. App. P. 42.1(a)(2)(A). GINA M. PALAFOX, Justice June 19, 2026 Before Salas Mendoza, C.J., Palafox and Soto, JJ. 2