

TEXAS COURT OF APPEALS, THIRTEENTH DISTRICT, CORPUS CHRISTI–
EDINBURG

TX-STAR Speech-Language Services, Corp. v. Andrea Sabatino and
Elite Learning Solutions, Limited Liability Company

TX-STAR Speech-Language Services · No. 13-25-00494-CV · Decided January 29, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas granted the parties’ joint motion to dismiss an appeal after they reached an agreement. The court vacated the trial court’s order denying a motion to seal court records, dismissed the appeal, remanded for rendition of judgment consistent with the agreement, and dismissed pending motions as moot.

CASE DETAILS

COURT	Texas Court of Appeals, Thirteenth District, Corpus Christi–Edinburg
WRITING FOR THE COURT	L. Aron Peña Jr.; Chief Justice Tijerina; Justice Peña; Justice West
JURISDICTION	Texas Court of Appeals, Thirteenth District, Corpus Christi–Edinburg
DECIDED	January 29, 2026
DOCKET	13-25-00494-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	An appeal from an August 21, 2025 order denying appellant's motion to seal court records was before the court on the parties' joint motion to dismiss and request to set aside the trial court's judgment and remand for entry of judgment under their agreement.
PRECEDENTIAL VALUE	published
PARTIES	TX-STAR Speech-Language Services, Corp. v. Andrea Sabatino, Elite Learning Solutions, Limited Liability Company

TOPICS

- appellate procedure
- mootness
- remedies
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure
- remedies

QUESTIONS PRESENTED

1. Whether the court should grant the parties' joint motion under Texas Rule of Appellate Procedure 42.1(a)(2) by vacating the trial court's order without regard to the merits, dismissing the appeal, and remanding for rendition of judgment in accordance with the parties' agreement.
2. Whether the pending motions should be dismissed as moot after dismissal of the appeal.

HOLDINGS

1. Under Texas Rule of Appellate Procedure 42.1(a)(2), the court may grant the parties' agreed request by setting aside the trial court's judgment without regard to the merits, dismissing the appeal, and remanding for rendition of judgment in accordance with the agreement.
2. After dismissing the appeal at the parties' request, the court dismissed all pending motions as moot and stated that no motion for rehearing would be entertained.

KEY QUOTATIONS

“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 agreement” (at 2)

FACTUAL BACKGROUND

The appeal concerned an order denying TX-STAR's motion to seal court records. During the appeal, the parties reached an agreement and jointly requested dismissal, vacatur of the trial court's order without regard to the merits, and remand for entry of judgment consistent with their agreement.

PROCEDURAL HISTORY

The appeal was transferred from the Fourth Court of Appeals in San Antonio to the Thirteenth Court of Appeals pursuant to a Texas Supreme Court transfer order. The appeal was abated on October 30, 2025, after appellant filed a partially unopposed motion for temporary sealing of documents. The parties then jointly moved to dismiss, advising that they had reached an agreement and requesting that the appellate court vacate the trial court's order without regard to the merits and remand for rendition of judgment in accordance with the agreement.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

The trial court must render judgment in accordance with the parties' agreement and may conduct any further proceedings it deems necessary. The August 21, 2025 order denying appellant's motion to seal court records is vacated without regard to the merits. Costs are taxed against the party incurring them.

OPINION

PER CURIAM.

NUMBER 13-25-00494-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS
CORPUS CHRISTI – EDINBURG TX-STAR SPEECH-LANGUAGE SERVICES, CORP.,
Appellant, v. ANDREA SABATINO AND ELITE LEARNING SOLUTIONS, LIMITED
LIABILITY COMPANY, Appellees. ON APPEAL FROM THE 166TH DISTRICT COURT OF
BEXAR COUNTY, TEXAS MEMORANDUM OPINION Before Chief Justice Tijerina and
Justices Peña and West Memorandum Opinion by Justice Peña This cause is before this Court on a
joint motion to dismiss.

1 On October 30, 2025, this appeal was abated upon appellant’s partially unopposed motion for
temporary sealing of documents. In the joint motion, the parties advise they have reached an
agreement and request that this Court set aside the trial’s court judgment without regard to the
merits and remand the case to the trial court for entry of judgment in accordance with the
agreement.

See TEX. R. APP. P. 42.1(a)(2)(B). Texas Rule of Appellate Procedure 42.1(a)(2), governing the
voluntary dismissal of civil appeals by agreement, allows an appellate court to: (A) render
judgment effectuating the parties’ agreement; (B) 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 agreement; or (C) abate the appeal and permit the proceeding in the trial court to
effectuate the agreement.

Id. R. 42.1(a)(2). Accordingly, we reinstate this case, grant the parties joint motion, vacate the
August 21, 2025 order denying appellant’s motion to seal court records without regard to the
merits, dismiss the appeal, and remand the case to the trial court for rendition of judgment in
accordance with the parties’ agreement and for any further proceedings deemed necessary.

See id. In accordance with the agreed motion, costs are taxed against the party incurring the same.
See id. R. 42.1(d). We further dismiss all pending motions as moot. Having dismissed the appeal at
the parties’ request, no motion 1 This appeal was transferred from the Fourth Court of Appeals in
San Antonio pursuant to an order issued by the Texas Supreme Court.

See TEX. GOV’T CODE ANN. § 73.001. 2 for rehearing will be entertained. L. ARON PEÑA JR.
Justice Delivered and filed on the 29th day of January, 2026. 3