

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Victoria Vanbrocklin v. Orlando Ramirez

No. 01-25-00727-CV · No. 01-25-00727-CV · Decided December 11, 2025

SUMMARY

The Texas First Court of Appeals granted the parties’ joint notice of settlement and agreed motion to remand. The court set aside the trial court’s June 11, 2025 final judgment without regard to the merits, remanded the case for rendition of judgment under the parties’ agreement, and dismissed other pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Chief Justice Adams; Justice Gunn; Justice Johnson
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	December 11, 2025
DOCKET	01-25-00727-CV
DISPOSITION	vacated
PROCEDURAL POSTURE	Appeal from the June 11, 2025 final judgment of the 80th District Court of Harris County, Texas. During the appeal, the parties jointly moved to set aside the judgment and remand for rendition of judgment according to their settlement.
PRECEDENTIAL VALUE	published
PARTIES	Victoria Vanbrocklin v. Orlando Ramirez

TOPICS

- appellate procedure
- remedies
- civil procedure
- mootness

PRACTICE AREAS

- Appellate procedure
- Civil procedure
- Remedies

QUESTIONS PRESENTED

1. Whether the court of appeals should grant the parties' joint motion to set aside the trial court's judgment and remand the case under Texas Rule of Appellate Procedure 42.1(a)(2)(B) after the parties reached a

settlement.

HOLDINGS

1. When the parties jointly request relief under Texas Rule of Appellate Procedure 42.1(a)(2)(B), have settled all matters in controversy, and satisfy the applicable procedural requirements, the appellate court may set aside the trial court's judgment without regard to the merits and remand for rendition of judgment in accordance with the parties' agreement.

KEY QUOTATIONS

“Accordingly, we grant the parties’ joint motion, set aside the trial court’s judgment without regard to the merits, and remand the cause to the trial court for rendition of judgment in accordance with the parties’ agreement.” (at 2)

FACTUAL BACKGROUND

The parties represented that they had negotiated a settlement resolving all matters in controversy and dispute. Their settlement included an agreement to set aside the trial court's June 11, 2025 final judgment and remand the case for rendition of judgment consistent with the settlement.

PROCEDURAL HISTORY

The trial court entered final judgment in favor of Orlando Ramirez on June 11, 2025. Victoria Vanbrocklin appealed. Before any appellate opinion issued, the parties filed a joint notice of settlement and agreed motion to remand, requesting that the trial court's judgment be set aside and the case be remanded for rendition of judgment under their agreement.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Set aside the trial court's June 11, 2025 final judgment without regard to the merits and remand the cause to the trial court for rendition of judgment in accordance with the parties' settlement agreement. Dismiss all other pending motions as moot.

OPINION

PER CURIAM.

Opinion issued December 11, 2025 In The Court of Appeals For The First District of Texas NO. 01-25-00727-CV VICTORIA VANBROCKLIN, Appellant V. ORLANDO RAMIREZ, Appellee On Appeal from the 80th District Court Harris County, Texas Trial Court Case No. 2019-08819 MEMORANDUM OPINION Appellant, Victoria Vanbrocklin, appealed from the trial court’s June 11, 2025 final judgment in favor of appellee, Orlando Ramirez.

On December 5, 2025, the parties filed a “Joint Notice of Settlement and Agreed Motion to Remand.” In the motion, the parties stated that they “ha[d] negotiated a settlement of all matters in controversy and dispute.” The motion further stated that the parties’ settlement included an “agreement to set aside the trial court’s June 11, 2025 Final Judgment and allow this case to be remanded to the trial court for rendition of judgment in accordance with the parties[’] agreement.” See TEX. R. APP.

P. 42.1(a)(2)(B). No other party has filed a notice of appeal, and no opinion has issued. See TEX. R. APP. P. 42.1(a)(2), (c). The motion was filed jointly and was signed by counsel for all parties. See TEX. R. APP. P. 10.1(a)(5), 10.3(a)(2).

Accordingly, we grant the parties’ joint motion, set aside the trial court’s judgment without regard to the merits, and remand the cause to the trial court for rendition of judgment in accordance with the parties’ agreement. See TEX. R. APP. P. 42.1(a)(2)(B).

We dismiss all other pending motions as moot. PER CURIAM Panel consists of Chief Justice Adams and Justices Gunn and Johnson. 2