

**COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO**

ECW Investments, LLC v. Tarrant Appraisal District

ECW Investments · No. 07-22-00316-CV · Decided March 2, 2023

SUMMARY

The Seventh District Court of Appeals of Texas considered an appeal from an order sustaining an evidentiary objection, granting summary judgment to Tarrant Appraisal District, and denying ECW Investments' plea to the jurisdiction. Based on the parties' joint motion and settlement agreement, the court set aside the trial court's judgment without regard to the merits and remanded for entry of a nonsuit under Texas Rule of Appellate Procedure 42.1(a)(2)(B).

OPINION

PER CURIAM.

In The Court of Appeals Seventh District of Texas at Amarillo No. 07-22-00316-CV ECW INVESTMENTS, LLC, APPELLANT V. TARRANT APPRAISAL DISTRICT, APPELLEE On Appeal from the 352nd District Court Tarrant County, Texas 1 Trial Court No. 352-311216-19, Honorable Josh Burgess, Presiding March 2, 2023 MEMORANDUM OPINION Before QUINN, C.J., and PARKER and YARBROUGH, JJ. Appellant, ECW Investments LLC, appeals from the trial court's order sustaining the objection of appellee, Tarrant Appraisal District, to certain of ECW's evidence, granting summary judgment in favor of Tarrant Appraisal District, and denying ECW's plea to the jurisdiction.

On February 23, 2023, the parties filed a "Joint Notice of Originally appealed to the Second Court of Appeals, this case was transferred to this Court by the 1 Supreme Court of Texas pursuant to its docket equalization efforts. TEX. GOV'T CODE ANN. § 73.001 (West 2013). Agreement and Motion for Remand" signed by both parties' attorneys.

In the motion, the parties represent that they have, "agreed to have the trial court enter an order of nonsuit... with each party bearing its own costs and attorney's fees." They also "request this Court set aside the trial court's judgment without regard to the merits and remand the case to the trial court for entry of nonsuit in accordance with the parties' agreement." Under the authority of Texas Rule of Appellate Procedure 42.1(a)(2)(B), we grant the parties' joint motion, set aside the judgment of the trial court, and remand the case to the trial court for effectuation of their settlement agreement.

Having set aside the trial court's judgment at the request of the parties, no motion for rehearing will be entertained and our mandate will issue forthwith. Per Curiam 2

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