

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

City of Harlingen v. Monica Ann Schoonover

No. 13-25-00651-CV · No. 13-25-00651-CV · Decided February 26, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas granted the parties’ amended joint motion to set aside the trial court’s judgment after they reported settling the matter. The court vacated the final judgment, remanded for rendition of a dismissal judgment under the settlement agreement, denied pending motions as moot, and stated that no motion for rehearing would be entertained.

CASE DETAILS

COURT	Court of Appeals of the Thirteenth District of Texas, Corpus Christi–Edinburg
WRITING FOR THE COURT	Ysmael Fonseca; Justice Silva; Justice Cron; Justice Fonseca
JURISDICTION	Court of Appeals of the Thirteenth District of Texas, Corpus Christi–Edinburg
DECIDED	February 26, 2026
DOCKET	13-25-00651-CV
DISPOSITION	vacated
PROCEDURAL POSTURE	Appeal from the 107th District Court of Cameron County, Texas, following the parties' amended joint motion to set aside the trial court's judgment after settlement.
PRECEDENTIAL VALUE	Published
PARTIES	City of Harlingen v. Monica Ann Schoonover

TOPICS

- appellate procedure
- civil procedure
- mootness
- costs

PRACTICE AREAS

- appellate procedure
- civil procedure
- municipal law

QUESTIONS PRESENTED

1. Whether the appellate court should grant the parties' amended joint motion to set aside the trial court's judgment and remand for rendition of a judgment of dismissal after the parties settled the matter.

HOLDINGS

1. Under Texas Rule of Appellate Procedure 42.1(a)(2)(B), the court may set aside the trial court's judgment without regard to the merits and remand for rendition of a judgment in accordance with the parties' settlement agreement. The court therefore granted the amended joint motion, vacated the final judgment, and remanded for rendition of a judgment of dismissal.

KEY QUOTATIONS

"We grant the amended joint motion, vacate the trial court's final judgment entered in 2024-DCL-06667, and remand the appeal for the rendition of a judgment of dismissal in accordance with the parties' agreement." (at 1-2)

"See id. (allowing this Court to set aside the trial court's judgment without regard to the merits and remand the case for rendition of judgment in accordance with the parties' settlement agreement)." (at 1)

FACTUAL BACKGROUND

The parties compromised and settled the matter while the appeal was pending. They jointly requested that the appellate court set aside the trial court's judgment and remand for rendition of a dismissal judgment consistent with their agreement.

PROCEDURAL HISTORY

The appeal arose from a final judgment entered by the 107th District Court of Cameron County in cause number 2024-DCL-06667. After compromising and settling the matter, the parties jointly requested that the appellate court set aside the trial court's judgment and remand for rendition of a judgment of dismissal under Texas Rule of Appellate Procedure 42.1(a)(2)(B). The appellate court granted the motion, vacated the judgment, and remanded for dismissal in accordance with the settlement agreement.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Remand to the trial court for rendition of a judgment of dismissal in accordance with the parties' settlement agreement. Costs are taxed against the party incurring them in accordance with the amended joint motion and the parties' apparent agreement.

OPINION

City of Harlingen v. Monica Ann Schoonover
PER CURIAM.

NUMBER 13-25-00651-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

CITY OF HARLINGEN, Appellant, v. MONICA ANN SCHOONOVER, Appellee.

ON APPEAL FROM THE 107TH DISTRICT COURT

OF CAMERON COUNTY, TEXAS

MEMORANDUM OPINION

Before Justices Silva, Cron, and Fonseca Memorandum Opinion by Justice Fonseca This matter is before the Court on an amended joint motion to set aside trial court's judgment. See TEX. R. APP. P. 42.1(a)(2)(B). The parties have compromised and settled the matter and now request the Court set aside the trial court's judgment and remand the case to the trial court for rendition of the judgment of dismissal in accordance with the parties' agreement. See *id.* (allowing this Court to set aside the trial court's judgment without regard to the merits and remand the case for rendition of judgment in accordance with the parties' settlement agreement). We grant the amended joint motion, vacate the trial court's final judgment entered in 2024-DCL-06667, and remand the appeal for the rendition of a judgment of dismissal in accordance with the parties' agreement. All pending motions are denied as moot. Additionally, costs are taxed against the party incurring the same, in accordance with the amended joint motion and parties' apparent agreement. Having dismissed the appeal at the parties' request, no motion for rehearing will be entertained.

YSMAEL FONSECA

Justice Delivered and filed on the 26th day of February, 2026. 2