Dismissed and Opinion filed October 7, 1999.

In The

Fourteenth Court of Appeals

NO. 14-98-00935-CV

ERNESTO BERNABE DELGADO, Appellant

V.

EMMETT LEWIS TOBIAS AND LUFKIN CREOSOTING CO., INC., Appellees

On Appeal from the 133rd District Court
Harris County, Texas
Trial Court Cause No. 96-22692

O P I N I O N

This is an appeal from a judgment signed May 18, 1998.

On September 30, 1999, the parties filed a joint motion to dismiss the appeal because the case has been settled. *See* TEX. R. APP. P. 42.1. The motion is granted.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed October 7, 1999.

Panel consists of Justices Yates, Fowler, and Frost.

Do Not Publish. — TEX. R. APP. P. 47.3(b).