

Dismissed and Opinion Filed November 10, 2015.



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-14-00446-CV

ORYON TECHNOLOGIES, INC. AND ORYON TECHNOLOGIES, LLC, Appellants
V.
M. RICHARD MARCUS, Appellee

On Appeal from the 193rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-14-01252

MEMORANDUM OPINION

Before Justices Lang, Evans, and Whitehill
Opinion by Justice Evans

This is an appeal of a temporary and permanent sealing order signed April 10, 2014.¹ On September 23, 2015, we granted the motion to withdraw filed by appellants' counsel of record. Because appellants are corporations, we advised appellants that they could only appear before this Court through an attorney. *See Kunstoplast of Am., Inc. v. Formosa Plastics Corp.*, 937 S.W.2d 455, 456 (Tex. 1996); *Simmons, Jannace & Stagg, L.L.P. v. Buzbee Law Firm*, 324 S.W.3d 833, 833 (Tex. App.—Houston [14th Dist.] 2010, no pet.). We ordered appellants to file within thirty days of the date of the order, the name, State Bar number, mailing address, email address, and telephone number of new counsel. We advised appellants that failure to provide the required information within the time specified would result in the dismissal of the appeal without

¹On May 7, 2014, the Court was advised that appellants had filed bankruptcy petitions in the United States Bankruptcy Court for the Northern District of Texas. We abated the appeal and administratively closed the case. By order dated September 23, 2015 we reinstated the case following notification that the bankruptcy court had dismissed the bankruptcy cases filed by each appellant.

further notice. To date we have received no response from either appellant.² Accordingly, we dismiss the appeal. TEX. R. APP. P. 42.3(b), (c).

140446F.P05

/David W. Evans/

DAVID EVANS
JUSTICE

² Notice of the Court's order was sent to the domestic address on file with the Court for appellants as well as to two foreign addresses provided by appellants' counsel in their motion to withdraw as counsel of record. The copy of the order mailed to the domestic address on file with the Court was returned as undeliverable. The Court attempted to contact appellants at the telephone number provided to the Court, but the telephone number was invalid. Appellants have failed in their "continuing duty to keep the court and parties apprised of their correct and current address" so that the Court may comply with its duty to send notification to the parties in the case. *Mitchell v. Mitchell*, No. 11-10-00188-CV, 2011 WL 2112759, at *1 (Tex. App.—Eastland May 27, 2011, no pet.); *see also* TEX. R. APP. P. 6.3



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

ORYON TECHNOLOGIES, INC. AND
ORYON TECHNOLOGIES, LLC,
Appellants

No. 05-14-00446-CV V.

M. RICHARD MARCUS, Appellee

On Appeal from the 193rd Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DC-14-01252.
Opinion delivered by Justice Evans. Justices
Lang and Whitehill participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee M. RICHARD MARCUS recover his costs of this appeal from appellants ORYON TECHNOLOGIES, INC. AND ORYON TECHNOLOGIES, LLC.

Judgment entered this 10th day of November, 2015.