

DISMISSED; Opinion Filed August 27, 2019.



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

No. 05-19-00369-CV

SATFRAZ TAJ AND ZUBEDA TAJ, Appellants

V.

HIGHLANDER COMMUNITY SERVICES AND INVESTMENT, LLC, Appellee

**On Appeal from the 366th Judicial District Court
Collin County, Texas
Trial Court Cause No. 366-02669-2018**

MEMORANDUM OPINION

Before Chief Justice Burns, Justice Molberg, and Justice Nowell
Opinion by Justice Nowell

This is an appeal from the trial court's March 21, 2019 order denying appellant's request for a temporary injunction. By notice filed August 15, 2019, appellee has informed the Court that a final judgment has been signed and prays the case be dismissed. Attached to the notice is the judgment, which has also been included in a supplemental clerk's record. We construe the notice as a motion to dismiss and grant the motion.

The signing of a final judgment while an appeal of an order granting or denying a temporary injunction is pending moots the appeal. *See Isuani v. Manske-Sheffield Radiology Grp., P.A.*, 802 S.W.2d 235, 236 (Tex. 1991) (per curiam). When an appeal from the denial of a temporary injunction becomes moot because a final judgment has been signed, we must set aside all previous trial court orders concerning the requested temporary injunction and dismiss the case. *See id.*

(citing *Tex. Foundries, Inc. v. Int'l Moulders & Foundry Workers' Union*, 248 S.W.2d 460, 461 (Tex. 1952).

More than ten days have passed since appellee's motion was filed, and appellants have not responded to the motion. Because the trial court has signed a final judgment and nothing before us reflects the appeal is not moot, we grant the motion, set aside the trial court's order denying the request for a temporary injunction, and dismiss the case. *See* TEX. R. APP. P. 42.3(a); *Isuani*, 802 S.W.2d at 236.

/Erin A. Nowell/
ERIN A. NOWELL
JUSTICE

190369F.P05



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

JUDGMENT

SATFRAZ TAJ AND ZUBEDA TAJ,
Appellants

No. 05-19-00369-CV V.

HIGHLANDER COMMUNITY
SERVICES AND INVESTMENT, LLC,
Appellee

On Appeal from the 366th Judicial District
Court, Collin County, Texas
Trial Court Cause No. 366-02669-2018.
Opinion delivered by Justice Nowell, Chief
Justice Burns and Justice Molberg
participating.

In accordance with this Court's opinion of this date, we **SET ASIDE** the trial court's order denying the request for temporary injunction and **DISMISS** the case.

We **ORDER** that appellee Highlander Community Services and Investment, LLC recover its costs, if any, of this appeal from appellants Satfraz Taj and Zubeda Taj.

Judgment entered this 27th day of August, 2019.