



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-15-00350-CV

Jack **RETTIG**,
Appellant

v.

Ronald E. **BRUNO**, Christopher Garcia, Sergio Lopez, Patrick G. Mendoza, and Troy J.
Williams,
Appellees

From the 111th Judicial District Court, Webb County, Texas
Trial Court No. 2015CVQ000699 D2
Honorable Monica Z. Notzon, Judge Presiding

PER CURIAM

Sitting: Marialyn Barnard, Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: January 11, 2017

APPEAL DISMISSED AS MOOT

This is an appeal from an order vacating a 2014 domesticated foreign judgment in favor of appellees Patrick G. Mendoza and Christopher Garcia. During the pendency of the appeal, Mendoza filed a notice stating he filed for bankruptcy and the bankruptcy proceeding was pending in the United States Bankruptcy Court for the Western District of Texas in San Antonio, under Case No. 15-52801-cag, styled *In re Patrick G. Mendoza and Gloria C. Mendoza*. Accordingly, we ordered the appeal abated and treated as a closed case until reinstated by this court. *See* TEX. R. APP. P. 8.2.

On October 4, 2016, Rettig filed a motion in this court, requesting this court to reinstate the appeal, sever and dismiss the case against Mendoza without prejudice, and dismiss the entire case against the remaining parties as moot. In his motion, Rettig stated that during the pendency of the bankruptcy proceeding, the bankruptcy court rendered an order terminating the stay “for the limited purpose of filing motions to sever or dismiss Mendoza from the pending actions,” including the case in the federal district court where the 2014 domesticated foreign judgment originated. The motion further indicated that on May 24, 2016, the federal district court vacated the 2014 domesticated judgment from which this appeal arose. After reviewing Rettig’s motion, we ordered appellees to file a written response in this court on or before December 16, 2016 showing why this appeal should not be dismissed. Appellees did not file a response.

Accordingly, we grant Rettig’s motion in part, reinstate the appeal on this court’s docket, and dismiss the appeal as moot given the 2014 domesticated foreign judgment from which this appeal arose has been vacated by the federal district court — and thus, is a nullity.

PER CURIAM