

NO. 07-04-0458-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
DECEMBER 15, 2005

ROBERT W. PAIGE, M. D., APPELLANT

V.

DUDLEY R. STANLEY AND FLAGSHIP FINANCIAL, APPELLEES

FROM THE 47TH DISTRICT COURT OF RANDALL COUNTY;
NO. 47,937-A; HONORABLE RICHARD DAMBOLD, JUDGE

Before QUINN, C.J., and REAVIS and HANCOCK, JJ.

MEMORANDUM OPINION

By order of February 3, 2005, this appeal was abated pursuant to a notice of bankruptcy filed by Kent Ries, trustee for appellant Robert W. Paige, M.D. Pending before this Court is the trustee's motion to reinstate the appeal and motion to dismiss the appeal

with prejudice. Pursuant to Rule 8.3 of the Texas Rules of Appellate Procedure, we reinstate the appeal and pursuant to Rule 42.1(a), grant the motion to dismiss.

Accompanying Paige's motion to dismiss this appeal is (1) the bankruptcy court's order granting a motion to compromise the claims of appellees Dudley R. Stanley and Flagship Financial Corporation, and (2) an exhibit reflecting the debtor's discharge as of November 9, 2005.

Accordingly, this appeal is dismissed with prejudice. Having dismissed the appeal at the request of Kent Ries, trustee for appellant Robert W. Paige, M.D., no motion for rehearing will be entertained and our mandate will issue forthwith.

Don H. Reavis
Justice