

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-95-00398-CV**

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**Aldus Marketing Association, Relator**

**v.**

**The Honorable Suzanne Covington, Respondent**

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**ORIGINAL PROCEEDING FROM TRAVIS COUNTY**

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**MEMORANDUM OPINION**

Relator Aldus Marketing Association, a judgment creditor of real party-in-interest XLS, Inc., filed a motion for leave to file a writ of mandamus on July 11, 1995. This Court abated the matter after receiving notice that XLS, Inc. had filed for bankruptcy. *See* Tex. R. App. P. 8.1, 8.2. After the abatement, no party to this appeal sought reinstatement or otherwise advised of the status of the bankruptcy proceeding. *See* Tex. R. App. P. 8.3. We have now been informed that the bankruptcy case related to this original proceeding concluded on March 26, 1997.<sup>1</sup>

On October 27, 2016, this Court notified the parties that this original proceeding would be dismissed for want of prosecution unless they filed a status report providing reason to retain it. *See* Tex. R. App. P. 42.3(b). No response was filed.

We dismiss this original proceeding for want of prosecution.

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<sup>1</sup> We considered this appeal as part of an ongoing review of cases that were abated for bankruptcy but did not reflect a final disposition or current status report from the parties.

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Jeff Rose, Chief Justice

Before Chief Justice Rose, Justices Field and Goodwin

Dismissed for Want of Prosecution

Filed: March 29, 2017