

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

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**NO. 03-22-00701-CV**

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**In re Sayers Construction, LLC**

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**ORIGINAL PROCEEDING FROM HAYS COUNTY**

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**MEMORANDUM OPINION**

**PER CURIAM**

Relator Sayers Construction, LLC, the defendant in the underlying trial-court proceeding, notified this Court that it has filed for bankruptcy protection (United States Bankruptcy Court, W.D. Texas, Case No. 22-10838-tmd). *See* Tex. R. App. P. 8.1. Accordingly, this mandamus proceeding is stayed. *See* 11 U.S.C. § 362(a) (establishing that debtor’s filing of bankruptcy petition imposes automatic stay of judicial proceedings that are “[a] continuation . . . of a judicial . . . or other action or proceeding against the debtor”); *cf.* Tex. R. App. P. 8.2; *see also In re Hassell*, No. 01-14-00996-CV, 2018 WL 1003802, at \*1 (Tex. App.—Houston [1st Dist.] Feb. 22, 2018, orig. proceeding) (reinstating mandamus proceeding upon relators’ petition). Any party may file a motion to reinstate the proceeding if permitted by federal law or the bankruptcy court. Tex. R. App. P. 8.3(a). It is the parties’ responsibility to notify the Court as soon as possible if an event occurs that would allow reinstatement. *Id.*

Before Chief Justice Byrne, Justice Triana, and Justice Smith

Filed: December 22, 2022