



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

CAPLES LAND COMPANY, LLC,	§	No. 08-18-00005-CV
	§	
Appellant,	§	Appeal from the
	§	
v.	§	327th District Court
	§	
THE CITY OF EL PASO, TEXAS, AND ITS BUILDING AND STANDARDS COMMISSION,	§	of El Paso County, Texas
	§	(TC# 2016DCV2118)
	§	
Appellee.	§	

MEMORANDUM OPINION

Ronald Ingalls, the Bankruptcy Trustee for the Estate of William D. Abraham, has filed an unopposed motion to dismiss this appeal pursuant to Rule 42.1(a)(1) because the parties have settled the dispute. *See* TEX.R.APP.P. 42.1(a)(1). The judgment being appealed concerns real property located in El Paso, Texas known as the American Furniture Building which is owned by Caples Land Company. In his personal assets schedule, Mr. Abraham listed various properties owned by entities he controlled but for which the corporate charters of the entities had been forfeited. Included in this list was the American Furniture Building. The bankruptcy court entered an order which substantively consolidated various entities, including Caples Land Company, with the bankruptcy estate of Mr. Abraham. During a mediation ordered by the bankruptcy court, the Bankruptcy Trustee, the participating creditors, and the City settled the underlying dispute. The terms of the settlement agreement require that the Bankruptcy Trustee dismiss this appeal. We

grant the motion and dismiss the appeal. Pursuant to the agreement, costs of the appeal are taxed against the party incurring same. TEX.R.APP.P. 42.1(d).

GINA M. PALAFOX, Justice

January 24, 2019

Before McClure, C.J., Rodriguez, and Palafox, JJ.