

Opinion filed May 17, 2018



In The
Eleventh Court of Appeals

No. 11-13-00310-CV

ROGER MUNIZ, Appellant

V.

UNIQUE INTEGRATED ENERGY, LLC, Appellee

**On Appeal from the 238th District Court
Midland County, Texas
Trial Court Cause No. CV49674**

MEMORANDUM OPINION

Appellant, Roger Muniz, filed an accelerated appeal from a temporary injunction. The trial court had enjoined Appellant from continuing to engage in the business affairs of Intervenor/Defendant, RoxWell Performance Drilling, LLC, for which the trial court subsequently appointed a receiver. We abated the appeal in 2013 when Appellant notified us that RoxWell had filed a voluntary petition seeking bankruptcy protection under Chapter 11 of the United States Bankruptcy Code. *See* TEX. R. APP. P. 8.1, 8.2. After years of attempting to obtain information from

Appellant regarding the status of RoxWell’s bankruptcy, and after receiving information from Appellee, Unique Integrated Energy, LLC, regarding the status of RoxWell’s bankruptcy, this court notified Appellant that this appeal may be dismissed if Appellant did not respond and show grounds to continue the appeal. *See* TEX. R. APP. P. 42. Appellant has not filed a response.

Appellee informed this court that the bankruptcy court had issued a final decree closing RoxWell’s bankruptcy proceeding in 2016 and that RoxWell had not only been liquidated during that proceeding but had also been terminated as an entity by the bankruptcy trustee. Appellee provided this court with pertinent documents that support Appellee’s assertions. Appellee also suggested that this appeal “would now appear to be moot.” We agree. Accordingly, we dismiss this appeal. *See Nat’l Collegiate Athletic Ass’n v. Jones*, 1 S.W.3d 83, 86 (Tex. 1999).

The appeal is dismissed.

PER CURIAM

May 17, 2018

Panel consists of: Willson, J.,
Bailey, J., and Wright, S.C.J.¹

¹Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas at Eastland, sitting by assignment.