

DISMISS and Opinion Filed December 2, 2020



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-20-00694-CV

**GREGORY WAYNE ABBOTT IN HIS OFFICIAL CAPACITY AS
GOVERNOR OF TEXAS, Appellant**

V.

**STIRR DALLAS, LLC, CITIZEN UPTOWN, LIMITED LIABILITY
COMPANY, THAT'S NOT A TYPO, LLC, NOT UPTOWN, LLC,
BIG FACE HENDO'S LLC, REAL HART, LLC,
THE SIDE STREET BAR, INC., AND
MICHAEL BLOHM D/B/A ISLAND CLUB, Appellees**

**On Appeal from the 68th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-20-09166**

MEMORANDUM OPINION

**Before Justices Molberg, Reichel, and Nowell
Opinion by Justice Reichel**

Gregory Wayne Abbott in his Official Capacity as Governor of Texas brings this interlocutory appeal from an order denying his plea to the jurisdiction. On November 3, 2020, appellees notified this Court that it had filed with the trial court a notice of nonsuit of all their claims against Governor Abbott. Appellees' nonsuit vitiated the trial court's interlocutory order denying Abbott's plea to the jurisdiction.

See Univ. of Texas Med. Branch at Galveston v. Estate of Blackmon, 195 S.W.3d 98, 101 (Tex. 2006) (per curiam).

Before the Court is Governor Abbott's unopposed motion to dismiss this case for want of jurisdiction. In his motion, Governor Abbott requests that we vacate the trial court's order denying his plea to the jurisdiction and dismiss this case. We grant the motion, vacate the trial court's July 24, 2020 order denying Governor Abbott's plea to the jurisdiction, and dismiss this case. *See* TEX. R. APP. P. 42.1(a)(1), 42.3(a).

/Amanda L. Reichel/
AMANDA L. REICHEK
JUSTICE

200694F.P05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

GREGORY WAYNE ABBOTT IN
HIS OFFICIAL CAPACITY AS
GOVERNOR OF TEXAS, Appellant

No. 05-20-00694-CV V.

STIRR DALLAS, LLC, CITIZEN
UPTOWN LIMITED LIABILITY
CO., THAT'S NOT A TYPO, LLC,
NOT UPTOWN, LLC, BIG FACE
HENDO'S, LLC, REAL HART,
LLC, THE SIDE STREET BAR,
INC., AND MICHAEL BLOHM
D/B/A ISLAND CLUB, Appellees

On Appeal from the 68th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-20-09166.
Opinion delivered by Justice
Reichek. Justices Molberg and
Nowell participating.

In accordance with this Court's opinion of this date, the trial court's July 24, 2020 order denying Governor Abbott's plea to the jurisdiction is **VACATED** and this case is **DISMISSED**.

It is **ORDERED** that the parties bear their own costs of this appeal.

Judgment entered December 2, 2020