

DISMISS and Opinion Filed July 27, 2021



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

No. 05-15-00349-CV

**DAVID AND WENDY MEISENBACH LIMITED PARTNERSHIP,
Appellants**

V.

**SAMEER P. SETHI, SETHI OPERATING COMPANY, AND SETHI
PETROLEUM, LIMITED LIABILITY COMPANY, Appellees**

**On Appeal from the 429th Judicial District Court
Collin County, Texas
Trial Court Cause No. 429-01149-2014**

MEMORANDUM OPINION

Before Justices Myers, Partida-Kipness, and Garcia
Opinion by Justice Garcia

We reinstate this appeal. In June 2015, we abated this case due to the May 14, 2015 order of the United States District Court for the Eastern District of Texas, appointing a receiver in a case involving appellees. Under that order, further action in this appeal was stayed. In March of 2019, we requested a status update. Counsel for appellees informed the Court of a new address but did not update the Court on the status of the receivership or the appeal.

We subsequently conducted an independent review of the federal Public Access to Court Electronic Records (PACER) system which shows the receivership

associated with this appeal was terminated on August 9, 2017. We then notified the parties by letter dated May 7, 2021, requesting they inform the Court of the status of this appeal. We cautioned that the failure to respond would result in the appeal being dismissed for want of prosecution. *See id.* 42.3(b),(c). To date, no party has responded.

Because we gave the parties an opportunity to show why we should not dismiss the appeal for want of prosecution and no one responded, we dismiss this appeal. *See id.* 42.3(b), (c); *Tex. Ranger Oil Co. v. Alamo Fluids, Inc.*, 2021 WL 1731795, at *1 (Tex. App.—Dallas May 3, 2021, no pet.) (mem. op.).

/Dennise Garcia/
DENNISE GARCIA
JUSTICE

150349F.P05



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

JUDGMENT

DAVID AND WENDY
MEISENBACH LIMITED
PARTNERSHIP, Appellants

No. 05-15-00349-CV V.

SAMEER P. SETHI, SETHI
OPERATING COMPANY, AND
SETHI PETROLEUM, LIMITED
LIABILITY COMPANY, Appellees

On Appeal from the 429th Judicial
District Court, Collin County, Texas
Trial Court Cause No. 429-01149-
2014.

Opinion delivered by Justice Garcia.
Justices Myers and Partida-Kipness
participating.

In accordance with this Court's opinion of this date, the appeal is
DISMISSED.

Judgment entered July 27, 2021