

Dismiss and Opinion Filed June 14, 2021



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

No. 05-16-00915-CV

**CHARLES D. GUSKEY A/K/A CHARLES DUANE, Appellant
V.
CACH, LLC, Appellee**

**On Appeal from the 298th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-02779**

MEMORANDUM OPINION

Before Justices Schenck, Reichek, and Carlyle
Opinion by Justice Carlyle

We reinstate this appeal. In 2017, we abated this case due to CACH, LLC's bankruptcy. *See* TEX. R. APP. P. 8.2. The Court conducted an independent review of the federal Public Access to Court Electronic Records (PACER) system which shows the bankruptcy case associated with this appeal was terminated on February 12, 2020, effectively dissolving the automatic stay.

We notified the parties by letter dated May 7, 2021, requesting they inform the Court of the status of the bankruptcy and 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, neither 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); *Cross v. Beutel*, No. 05-91-01700-CV, 2021 WL 1851040, at *1 (Tex. App.—Dallas May 10, 2021, no pet. h.) (mem. op.).

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/Cory L. Carlyle//
CORY L. CARLYLE
JUSTICE



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

JUDGMENT

CHARLES D. GUSKEY A/K/A
CHARLES DUANE, Appellant

No. 05-16-00915-CV V.

CACH, LLC, Appellee

On Appeal from the 298th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-15-02779.
Opinion delivered by Justice Carlyle.
Justices Schenck and Reichek
participating.

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

Judgment entered this 14th day of June, 2021.