

**Dismiss and Opinion Filed January 22, 2021**



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

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**No. 05-20-00673-CV**

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**HUNTER-KELSEY OF TEXAS, LLC AND STRONGHILL TEXAS, LLC,  
Appellants**

**V.**

**BAPA BROOKLYN 2004, LLC, Appellee**

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**On Appeal from the 101st Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-20-03081-E**

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**MEMORANDUM OPINION**

Before Justices Molberg, Reichek, and Nowell  
Opinion by Justice Nowell

This is an appeal from the trial court's June 25, 2020 Order Granting Temporary Injunction. By notice filed on January 8, 2021, appellants informed the Court that the trial court entered an Order Granting Defendants' Emergency Motion to Reconsider Temporary Injunction and Dissolving Temporary Injunction on January 4, 2021. A copy of the trial court's January 4, 2021 order has been provided to this Court. The order states in part: "the Order Granting Temporary Injunction dated June 25, 2020 in this case is dissolved in full, without any exception or

reservation, and is void ab initio.” Appellants pray the case be dismissed for mootness.

An appeal from a temporary injunction order is rendered moot and must be dismissed if the injunction is dissolved. *See Star Med. Ctr., LLC v. Tritin Med. Distribution, LLC*, No. 05-20-00345-CV, 2020 WL 3071709, at \*1 (Tex. App.—Dallas June 10, 2020, no pet.) (mem. op.) (citing *State v. Ruiz Wholesale Co.*, 901 S.W.2d 772, 775, 778 (Tex. App.—Austin 1995, no writ)).

The trial court’s January 4, 2021 order dissolved the temporary injunction that is the subject of this appeal and moots the appeal. Accordingly, we grant the motion to dismiss and dismiss the appeal.

/Erin A. Nowell/  
ERIN A. NOWELL  
JUSTICE

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

**JUDGMENT**

HUNTER-KELSEY OF TEXAS,  
LLC AND STRONGHILL TEXAS,  
LLC, Appellants

No. 05-20-00673-CV        V.

BAPA BROOKLYN 2004, LLC,  
Appellee

On Appeal from the 101st Judicial  
District Court, Dallas County, Texas  
Trial Court Cause No. DC-20-03081-  
E.

Opinion delivered by Justice Nowell.  
Justices Molberg and Reichel  
participating.

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

It is **ORDERED** that each party bear its own costs of this appeal.

Judgment entered this 22nd day of January, 2021.