

Opinion issued December 23, 2010



In The
Court of Appeals
For The
First District of Texas

NO. 01-01-01068-CV

**STEVE VASQUEZ AND PATRICIA VASQUEZ, INDIVIDUALLY AND AS
NEXT FRIEND OF C.R.V., A MINOR, Appellants**

V.

**UNITED STATES GYPSUM COMPANY; MONARCH PAINT COMPANY;
J.M. HUBER CORPORATION; GEORGIA-PACIFIC CORPORATION;
MURCO WALL PRODUCTS, INC.; MINNESOTA MINING AND
MANUFACTURING COMPANY (3M); LONE STAR DRYWALL MFG.,
INC., HOME DEPOT U.S.A., INC.; AND LANGWOOD LUMBER
COMPANY, Appellees**

**On Appeal from the 234th District Court
Harris County, Texas
Trial Court Cause No. 2000-23421**

MEMORANDUM OPINION

We dismiss this appeal for want of prosecution. On January 10, 2002, we abated this case because a party to the appeal, who was a defendant in the trial court, filed a suggestion of bankruptcy. On May 27, 2010, we advised the parties that the Court had learned from the bankruptcy court's information service that the case was ordered closed on October 3, 2006 and that, unless a party to the appeal filed a motion to retain by June 16, 2010, the appeal would be reinstated and dismissed for want of prosecution. A motion to retain has not been filed.

Accordingly, we reinstate the appeal on our active docket, and we **dismiss** the appeal for want of prosecution. *See* TEX. R. APP. P. 42.3(b), (c).

PER CURIAM

Panel consists of Chief Justice Radack, and Justices Massengale and Brown.