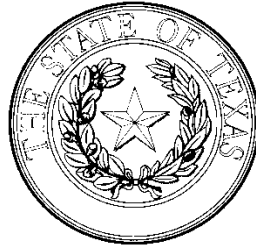


Opinion issued October 20, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-08-00211-CV

TERESA J. BUDZYN, Appellant

V.

CITIBANK (SOUTH DAKOTA), N.A., Appellee

**On Appeal from the County Civil Court at Law No. 3
Harris County, Texas
Trial Court Cause No. 834504**

MEMORANDUM OPINION

We dismiss this appeal for want of prosecution. On May 19, 2010, we abated this case because appellant, who was a defendant in the trial court, filed a suggestion of bankruptcy. On June 27, 2011, we advised the parties that the Court

had learned from the bankruptcy court's information service that the bankruptcy case was ordered closed on May 18, 2010 and that, unless a party to the appeal filed a motion to retain by July 18, 2011, 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 Bland and Huddle.