

Opinion issued May 1, 2014



In The
Court of Appeals
For The
First District of Texas

NO. 01-13-00375-CV

**RWS TRANSPORT, L.P. D/B/A REPUBLIC WASTE SERVICES AND
BOBBY R. MATHEWS, Appellants**

V.

KARLA KEITH, Appellee

**On Appeal from the 23rd District Court
Brazoria County, Texas
Trial Court Cause No. 50809**

MEMORANDUM OPINION

On January 27, 2014, the parties filed an agreed motion, representing that the parties had reached a settlement agreement and requesting that the Court abate this appeal and permit proceedings in the trial court, as necessary, to effectuate

their agreement. *See* TEX. R. APP. P. 42.1(a)(2)(C). On February 13, 2014, this Court granted the motion, abated the appeal, and remanded the cause to permit proceedings in the trial court. *See id.* In the abatement order, we advised the parties that a motion to reinstate and dismiss the appeal must be filed no later than April 14, 2014 or, if the agreement was not finalized by that date, appellants were required file a report with this Court regarding the status of the proceedings in the trial court and requesting an extension of the abatement. We also notified the parties that failure to file a motion to reinstate and dismiss the appeal or a status report by April 14, 2014 would result in dismissal of the appeal, without further notice. *See* TEX. R. APP. P. 42.3(c). Neither party has filed a motion to reinstate and dismiss the appeal or a status report with this Court.

Accordingly, we lift the abatement ordered by this Court on February 13, 2014, reinstate the appeal, and dismiss the appeal. We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Jennings, Higley, and Sharp.