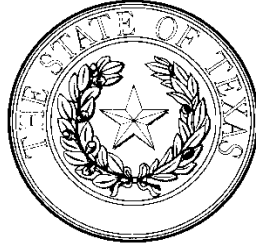


Opinion issued April 15, 2014



In The
Court of Appeals
For The
First District of Texas

NO. 01-14-00105-CV

**JOE ANTHONY BEAMES, PERSONAL REPRESENTATIVE OF THE
ESTATE OF DEBORAH KAY DAVIS, Appellant**

V.

EDWIN HOWARD HOOKS, JR., Appellee

**On Appeal from the 98th District Court
Travis County, Texas
Trial Court Case No. D-1-GN-07-003482**

MEMORANDUM OPINION

Appellant, Joe Anthony Beames, Personal Representative of the Estate of Deborah Kay Davis, has filed an unopposed motion to consolidate this appeal into appellate cause number 01-14-00103-CV, *Joe Anthony Beames, Personal Representative of the Estate of Deborah Kay Davis v. Edwin Howard Hooks, Jr.*,

for all purposes. In appellate cause number 01-14-00103-CV, appellant filed a notice of appeal challenging the trial court's order dismissing appellant's case. In appellate cause number 01-14-00105-CV, appellant filed a notice of appeal challenging the trial court's order denying appellant's motion to reinstate. Appellant asserts that the Court may review in the same appeal whether the trial court erred in dismissing appellant's case and whether the trial court erred in denying appellant's motion to reinstate. *See, e.g., Mohammed v. Host Hotels & Resorts, L.P.*, No. 05-12-00818-CV, 2013 WL 3771355 (Tex. App.—Dallas July 15, 2013, no pet.) (court addressed whether trial court abused its discretion in dismissing appellant's case and in denying appellant's motion to reinstate).

The Court grants appellant's motion and consolidates appellate cause number 01-14-00103-CV and appellate cause number 01-14-00105-CV for all purposes. The issues, records, and documents filed in appellate cause number 01-14-00105-CV are consolidated into appellate cause number 01-14-00103-CV. The consolidated appeal shall proceed under appellate cause number 01-14-00103-CV, and appellate cause number 01-14-00105-CV is dismissed. *See Berger v. Flores*, Nos. 03-10-00874-CV, 03-12-00415-CV, 2012 WL 4477405, at *1 (Tex. App.—Austin Sept. 28, 2012, no pet.); *BBG Group, L.L.C. v. MBI Global, L.L.C.*, No. 14-12-00247-CV, 2012 WL 3241557, at *1 (Tex. App.—Houston [14th Dist.] Aug. 9,

2012, no pet.). Briefing will proceed under the briefing deadlines in appellate cause number 01-14-00103-CV. *See* TEX. R. APP. P. 38.6.

Accordingly, we dismiss this appeal. We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Bland, and Brown.