

Opinion issued October 12, 2021



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-19-00972-CV

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**MICHELLE LEGAL AND WILLIAM JOHNSON JR., Appellants**  
V.  
**JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, Appellee**

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**On Appeal from the County Civil Court at Law No. 3**  
**Harris County, Texas**  
**Trial Court Case No. 1139334**

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**MEMORANDUM OPINION**

This appeal was filed in December 2019. In March 2020, the Court was advised that appellant, Michelle Legal, had filed a bankruptcy petition and the appeal was stayed. The bankruptcy stay was subsequently lifted and the appeal was reinstated in August 2020. Appellants' brief was originally due in September 2020,

but appellant, Michelle Legal, requested an extension. In the motion for extension, Legal's counsel claimed the need for an extension was due to family medical emergencies of counsel. The Court granted an extension until October 30, 2020. No brief was filed and the Court issued a notice on November 3, 2020, advising appellants that the appeal was subject to dismissal unless they filed a motion for extension or a brief by November 13, 2020. Appellants filed another request for emergency relief and extension of time. The Court granted another extension until December 9, 2020. No brief or motion for extension was filed and the Court issued another notice of possible dismissal.

On January 19, 2021, appellant, Michelle Legal, filed a letter, stating that the delay in filing a brief on behalf of Legal was due to counsel's continued family medical emergencies, but that counsel intended to file a brief by January 20, 2021. No brief was filed, but on February 10, 2021, Legal filed a motion to abate, stating that the parties wanted to try to reach an amicable resolution of their differences and asked that we abate the appeal for at least 45 days. The Court granted the motion and abated the appeal by order issued on March 11, 2021. After the abatement was extended and no settlement was reached, the Court lifted the abatement and reinstated the appeal on the active docket on August 3, 2021. After the case was reinstated, appellant's brief was set due on September 2, 2021.

On September 8, 2021, the Court sent a notice advising appellants that unless the brief or a motion for extension was filed by September 20, 2021, the appeal was subject to dismissal. No brief or motion for extension was filed. No opinion has issued.

Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3. Any pending motions are dismissed as moot.

**PER CURIAM**

Panel consists of Justices Kelly, Hightower, and Farris.