

Opinion issued October 26, 2021



In The
Court of Appeals
For The
First District of Texas

NO. 01-21-00419-CV

AFTON JANE IZEN, Appellant

V.

COMMISSION FOR LAWYER DISCIPLINE, Appellee

**On Appeal from the 215th District Court
Harris County, Texas
Trial Court Case No. 2019-58773**

MEMORANDUM OPINION

Appellant, Afton Jane Izen, filed an appeal of the judgment of disbarment signed by the trial court on May 3, 2021. On August 16, 2021, appellant's counsel filed a suggestion of death of appellant.

Because of appellant’s death, this appeal is moot. *See Olson v. Comm’n for Lawyer Discipline*, 901 S.W.2d 520, 523 (Tex. App.—El Paso 1995, no pet.) (explaining no actual controversy existed after appellant—who appealed a summary judgment that led to suspension of his law license—died, and that it would be “an exercise in futility to hear the merits” of the appeal, because appellant’s license to practice law terminated upon his death). When an appeal becomes moot, we must dismiss it for lack of jurisdiction. *See Heckman v. Williamson Cty.*, 369 S.W.3d 137, 162 (Tex. 2012).

On September 16, 2021, the Clerk of this Court notified the parties that this appeal was subject to dismissal for lack of jurisdiction unless, by September 27, 2021, a written response demonstrating this Court’s jurisdiction over the appeal was filed. *See* TEX. R. APP. P. 42.3(a). An adequate response has not been filed.

Accordingly, we dismiss the appeal for lack of jurisdiction. *See* TEX. R. APP. P. 42.3(a). We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Justices Goodman, Landau, and Countiss.