

Dismissed and Memorandum Opinion filed December 23, 2010.



In The

**Fourteenth Court of Appeals**

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NO. 14-97-00526-CV

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**GERALD W. JOHNSON, M.D. and LANA DAVIS, Appellants**

**V.**

**EARL NEWSOME and GAIL NEWSOME,  
Individually and as sole heirs of JILL NEWSOME, Appellees**

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**On Appeal from the 133rd District Court  
Harris County, Texas  
Trial Court Cause No. 79-42525-H**

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**MEMORANDUM OPINION**

This is an appeal from a judgment signed April 16, 1997. On November 20, 1997, this court abated this appeal because appellant Gerald W. Johnson, M.D. petitioned for voluntary bankruptcy in the United States Bankruptcy Court for the Southern District of Texas, under cause number 97-51245-H1-11. *See* Tex. R. App. P. 8.2.

Through the Public Access to Court Electronic Records (PACER) system, the court has learned that the bankruptcy case was closed on December 9, 1999. The parties failed to advise this court of the bankruptcy court action.

On November 18, 2010, this court issued an order stating that unless any party to the appeal filed a motion demonstrating good cause to retain the appeal within twenty days of the date of the order, this appeal would be dismissed for want of prosecution. *See* Tex. R. App. P. 42.3(b). No response was filed.

Accordingly, we reinstate the appeal and order it dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Yates and Jamison.