



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-11-00573-CV

Brad **CROFT**, Individually and as Trustee of the Willawall Investments Trust,
Appellant

v.

Jason S. **GADSBY**, Regina Prewitt-Cambell, Charlotte Marie Bellem, Peter C. Boussein,
Robert F. Sigafos, William E. Merten, Charles Rodney Godwin, Judy Johnson-Kinlaw,
Margaret Francis, Shavano Rogers Ranch Swim Club, Inc., and AMS SA Management, LLC,
Appellees

From the 37th Judicial District Court, Bexar County, Texas
Trial Court No. 2010-CI-09853
Honorable Peter Sakai, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Karen Angelini, Justice
Marialyn Barnard, Justice

Delivered and Filed: September 9, 2015

DISMISSED

This is an appeal of a trial court's order imposing sanctions against Brad Croft, individually and as Trustee of the Willawall Investments Trust. By order dated December 12, 2012, this appeal was abated based on an automatic stay arising from a bankruptcy petition filed by Croft.

On August 6, 2015, appellee AMS SA Management, LLC d/b/a Association Management Services filed a motion to dismiss this appeal, asserting it had purchased all of Croft's rights in this appeal. By order dated August 10, 2015, this court denied AMS's motion because: (1) the

bankruptcy court order attached to AMS's motion approved the sale of Croft's rights in this appeal to "Clifton L. Lowry, on behalf of Lowry Creditors," not to AMS; and (2) Croft filed the appeal in both his individual capacity and as trustee of the Willawall Investments Trust. Because the bankruptcy court's order conveyed Croft's appellate rights, however, we reinstated the appeal on our docket since the appeal was no longer subject to the bankruptcy court's automatic stay.

On August 21, 2015, Clifton L. Lowry filed a motion to substitute himself as appellant based on the bankruptcy court's order and requested this court to dismiss this appeal. In his motion, Lowry noted the bankruptcy court held the Willawall Investments Trust was Croft's alter ego and attached a copy of the bankruptcy court's opinion to the motion. The motion is granted, and this appeal is dismissed. Costs of the appeal are taxed against appellant.

PER CURIAM