



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-15-00733-CV

THE CITY OF HELOTES; Tom Schoolcraft, in his capacity as Mayor of Helotes; Rick Schroder, in his capacity as Helotes City Administrator; and Ernest Cruz, in his capacity as Head of the Helotes Development Services Department,
Appellants

v.

TEXAS ASSOCIATION OF BUILDERS and The Greater San Antonio Builders Association,
Appellees

From the 407th Judicial District Court, Bexar County, Texas
Trial Court No. 2014-CI-07817
Honorable Karen H. Pozza, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Marialyn Barnard, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: September 7, 2016

APPEAL DISMISSED

On April 29, 2016, appellants filed a motion to abate this appeal pending a determination in *Town of Lakewood Village v. Bizios*, which was, at the time, pending before the Texas Supreme Court in cause number 15-0106. Appellee filed a response opposing the abatement. Because one or more of the issues pending in the appeal before this court were similar to the issues pending in the *Bizios* appeal, on May 17, 2016, this court granted the motion to abate, withdrew the appeal from submission, and for administrative purposes treated this appeal as a closed case. On May 27,

2016, the Supreme Court issued its opinion in *Bizios*; and on July 8, 2016, the court issued its mandate.

On August 26, 2016, appellants filed an unopposed Motion to Dismiss Appeal in this court. The motion is granted. This appeal is hereby reinstated on this court's docket and the appeal is dismissed.

PER CURIAM