



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-16-00476-CV

OLMOS EQUIPMENT, INC., Larry Struthoff, S.W.L. Enterprises, Inc., and Tracy Janicke,
Appellants

v.

Jim WEYNAND,
Appellee/Cross-Appellant

v.

Hugh LONG,
Cross-Appellee

From the 285th Judicial District Court, Bexar County, Texas
Trial Court No. 2011-CI-08332
Honorable Richard Price, Judge Presiding

PER CURIAM

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

Delivered and Filed: February 14, 2018

DISMISSED IN PART

On July 28, 2016, appellants filed notices of appeal from a final judgment signed on May 2, 2016. On August 12, 2016, appellee/cross-appellant filed a cross-notice of appeal seeking to appeal the portion of the judgment ordering that he take nothing against cross-appellee Hugh Long.

On August 15, 2016, appellant Olmos Equipment, Inc. filed a suggestion of bankruptcy, and the other appellants filed motions to dismiss. On August 16, 2016, we abated the appeal pursuant to Rule 8.2 of the Texas Rules of Appellate Procedure.

On February 6, 2018, the litigation trustee appointed by the bankruptcy court in Olmos Equipment, Inc.'s bankruptcy proceeding filed a motion to dismiss its appeal. On February 8, 2018, the litigation trustee filed a copy of the bankruptcy's court's order appointing him litigation trustee. It is therefore ordered that this appeal is reinstated on the docket of this court. TEX. R. APP. P. 8.3(a). Appellants' motions to dismiss are granted, and their appeals against appellee are dismissed. TEX. R. APP. P. 42.1(a)(1).

Cross-appellant's cross-appeal is retained on the docket, and the clerk of the court is ordered to restyle the appeal as Jim Weynand, Appellant v. Hugh Long, Appellee.

PER CURIAM