

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00188-CV

CHARLOTTE PATTY MCKINLEY, Appellant

V.

OPTIMIST VILLAGE INC., Appellee

On Appeal from the County Court at Law No. 2
Orange County, Texas
Trial Cause No. 23510A

MEMORANDUM OPINION

Charlotte Patty McKinley perfected an accelerated appeal from an order denying her motion to dismiss a residential forcible detainer action filed by Optimist Village, Inc. *See* Tex. Civ. Prac. & Rem Code Ann. 51.014(a)(12) (West Supp. 2016). Upon receiving a suggestion of the death of the appellant, a motion to withdraw as counsel for the appellant, and the appellee's motion to dismiss the appeal as moot, we abated the appeal and remanded the case to the trial court. The trial court signed a final order of dismissal that disposed of all issues and all

parties. On September 29, 2016, we issued a suggestion of mootness and required that any objection be filed no later than October 14, 2016. No response has been filed. The motion to withdraw as counsel is granted, and the accelerated appeal is dismissed without reference to the merits. *See* Tex. R. App. P. 42.3.

APPEAL DISMISSED.

LEANNE JOHNSON
Justice

Submitted on November 2, 2016
Opinion Delivered November 3, 2016

Before McKeithen, C.J., Kreger and Johnson, JJ.