



**In the  
Court of Appeals  
Second Appellate District of Texas  
at Fort Worth**

---

No. 02-18-00308-CV

---

RAFAEL MOLINA, Appellant

v.

JESSICA BATTES-GRABOWSKI, JESSICA BATTES, Appellee

---

On Appeal from the 96th District Court  
Tarrant County, Texas  
Trial Court No. 096-298864-18

---

Before Birdwell, Bassel, and Womack, JJ.  
Per Curiam Memorandum Opinion

## MEMORANDUM OPINION

After Rafael Molina appealed from the trial court's order dismissing his suit against Jessica Battes-Grabowski in accordance with the Texas Citizens Participation Act, Molina filed a petition for bankruptcy in federal court. We therefore stayed this appeal on January 29, 2019. *See* Tex. R. App. P. 8.2.

On August 21, 2019, Battes-Grabowski filed a motion in this court seeking to reinstate the appeal because the bankruptcy court had rendered a discharge order and closed the case in May 2019. *See* Tex. R. App. P. 8.3(a). She also moved this court to dismiss the reinstated appeal for want of prosecution because Molina had not sought to reinstate his appeal in the three months since the bankruptcy court closed his case. In her certificate of conference, Battes-Grabowski noted that Molina had not indicated whether he opposed the motion.

Molina has not responded to Battes-Grabowski's motion in this court. We therefore grant the motion, reinstate the appeal, and dismiss it for want of prosecution. *See* Tex. R. App. P. 8.3(a), 42.3(b); *Parker v. Parker*, No. 01-13-00774-CV, 2018 WL 285107, at \*1 (Tex. App.—Houston [1st Dist.] Jan. 4, 2018, no pet.) (mem. op.) (per curiam).

Per Curiam

Delivered: September 26, 2019