



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-17-00424-CV

M&L BUILDERS, INC., APPELLANT

V.

KRISU HOSPITALITY, LLC, APPELLEE

**On Appeal from the 223rd District Court
Gray County, Texas
Trial Court No. 38,934; Honorable Phil N. Vanderpool, Presiding**

April 30, 2019

ORDER OF REINSTATEMENT AND DISMISSAL

Before QUINN, C.J., and CAMPBELL and PIRTLE, JJ.

M&L Builders, Inc. and Mukesh Bhakta appealed from a default judgment in favor of Krisu Hospitality, LLC. We abated the appeal on January 2, 2018, upon receiving notice that Bhakta was in bankruptcy. See TEX. R. APP. P. 8.1, 8.2. In April 2018, Bhakta filed a suggestion of bankruptcy, informing this court that his bankruptcy proceeding was dismissed and that M&L Builders was now in bankruptcy. On May 1, 2018, pursuant to Bhakta's motion, we reinstated the appeal, severed Bhakta's appeal into cause number

07-18-00156-CV, and abated M&L Builders's appeal in accordance with Texas Rule of Appellate Procedure 8.2.

In our May 1 order, we directed M&L Builders and Krisu Hospitality to promptly inform this court of the resolution of M&L Builders's bankruptcy proceeding or any other event authorizing reinstatement of the appeal. See TEX. R. APP. P. 8.3(a). We received no further communication regarding M&L Builders's bankruptcy from the parties. In April 2019, pursuant to an inquiry, the clerk of this court received notice from the bankruptcy court that M&L Builders's bankruptcy had been resolved. Accordingly, by letter of April 9, 2019, we directed M&L Builders to file a motion requesting reinstatement or an extension of the abatement by April 19, or the appeal would be dismissed. See *id.* at 42.3(c). To date, M&L Builders has not filed a response to the court's letter.

Therefore, we reinstate the appeal for the purpose of dismissal and dismiss the appeal because M&L Builders failed to comply with an order of this court. TEX. R. APP. P. 42.3(c).

It is so ordered.

Per Curiam