

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-04-00683-CV

Save Our Springs Alliance, Appellant

v.

City of Dripping Springs; Todd Purcell, in his Official Capacity as Mayor of the City of Dripping Springs; Cypress-Hays, L.P.; and Mak Foster Ranch, L.P., Appellees

**FROM THE DISTRICT COURT OF HAYS COUNTY, 207TH JUDICIAL DISTRICT
NO. 02-1748, HONORABLE JACK H. ROBISON, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Save Our Springs Alliance (SOS) has filed for bankruptcy protection (United States Bankruptcy Court, W.D. Texas, Austin Division, chapter 11).¹ Accordingly, the appeal is stayed. *See* 11 U.S.C. § 362; Tex. R. App. P. 8. Any party may file a motion to reinstate upon the occurrence of an event that would allow the case to proceed. *See* Tex. R. App. P. 8.3. Failure to notify this Court of a lift of the automatic stay or the termination of the bankruptcy case may result in the dismissal of the cause for want of prosecution. *See* Tex. R. App. P. 42.3(b).

¹ Actions taken in violation of the automatic bankruptcy stay are void even if there is no actual notice of the existence of the stay. *Wallen v. State*, 667 S.W.2d 621, 623 (Tex. App.—Austin 1984, no writ). Accordingly, in an abundance of caution, although we have not received a copy of the filing from the parties, we have viewed the filing as made available on the Internet. *See* SOS Voluntary Petition, at http://alt.coxnewsweb.com/statesman/pdf/04/041007_sos.pdf (last visited on April 25, 2007).

W. Kenneth Law, Chief Justice

Before Chief Justice Law, Justices Puryear and Henson

Abated

Filed: April 27, 2007