

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-10-00120-CV

Walter Lee Hall, Jr., Appellant

v.

HSBC Mortgage Services, Inc., Its Successors and Assigns, Appellee

**FROM THE COUNTY COURT AT LAW NO. 2 OF TRAVIS COUNTY
NO. C-1-CV-07-010279, HONORABLE J. DAVID PHILLIPS, JUDGE PRESIDING**

MEMORANDUM OPINION

On April 15, 2011, we dismissed this appeal for want of prosecution because appellant Walter Lee Hall, Jr. had not filed his brief by the February 23 deadline set when we granted a motion for extension of time. *See* Tex. R. App. P. 42.3(b). Almost immediately after that opinion issued, Hall filed a motion for rehearing attaching a copy of a bankruptcy petition that he filed in the U.S. Bankruptcy Court of the Western District of Texas on January 24, 2011. We reinstated the case and abated the appeal on June 2, *see* Tex. R. App. P. 8.1, 8.2, 8.3, ordering Hall to inform us within ten calendar days of the resolution of the bankruptcy proceeding or another event that would allow us to reinstate the appeal, warning him that his failure to provide such notice would result in the appeal's dismissal for want of prosecution. *See id.* R. 42.3. On July 15, we were informed by the appellees in another case filed by Hall that the bankruptcy had been dismissed on the bankruptcy trustee's motion and that Hall was barred from filing another bankruptcy petition for two years. The

bankruptcy court signed the order of dismissal on June 28, but as of July 19, Hall had not informed this Court of the dismissal. We dismiss the appeal for want of prosecution on our own motion.

David Puryear, Justice

Before Justices Puryear, Pemberton and Rose

Dismissed for Want of Prosecution

Filed: July 21, 2011