

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-13-00327-CV

**Appellants, The Texas Alcoholic Beverage Commission and
Sherry Cook, Administrator// Cross-Appellant, D. Houston, Inc. d/b/a Treasures**

v.

**Appellee, D. Houston, Inc. d/b/a Treasures// Cross-Appellees,
The Texas Alcoholic Beverage Commission and Sherry Cook, Administrator**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 126TH JUDICIAL DISTRICT
NO. D-1-GN-12-001750, HONORABLE GISELA D. TRIANA, JUDGE PRESIDING**

MEMORANDUM OPINION

The Texas Alcoholic Beverage Commission (TABC) and Sherry Cook, in her official capacity as TABC administrator, have filed a motion to abate this appeal pending resolution by the Texas Supreme Court of the related mandamus proceeding, *In re Texas Alcoholic Beverage Commission and Sherry Cook, in her official capacity as TABC Administrator*, cause number 13-0513. We grant the motion.

Bob Pemberton, Justice

Before Chief Justice Jones, Justices Pemberton and Field

Abated

Filed: November 6, 2013