

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-13-00530-CV

Terry Christopher Bounds and Diana Bounds, Appellants

v.

**Bounds and Pinto Marketing, Inc. d/b/a Canyon Lake Visitors Bureau and
f/k/a PBC Marketing Company; Austrends, Inc.; and Randy Osherow,
Trustee of the Chapter 7 Bankruptcy Estate of Terry Christopher Bounds, Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 419TH JUDICIAL DISTRICT
NO. D-1-GN-13-002131, HONORABLE GISELA D. TRIANA, JUDGE PRESIDING**

MEMORANDUM OPINION

On the parties' motion, the Court previously abated this appeal, pending approval of a settlement of the underlying dispute by the United States Bankruptcy Court.¹ We further instructed that, if the Bankruptcy Court approved the settlement, the parties were to file a motion to reinstate and dismiss the appeal in accordance with the settlement agreement. Counsel for Randy Osherow, the Trustee of the Chapter 7 Bankruptcy Estate of Terry Christopher Bounds has since advised this Court that the underlying dispute has been resolved by written settlement but that the case remains pending before the Bankruptcy Court "only insofar as is necessary to complete final administrative matters and close the estate." We then requested that appellants submit a report to

¹ See *Bounds v. Bounds & Pinto Mktg., Inc.*, No. 03-13-00530-CV, 2014 WL 295300 (Tex. App.—Austin Jan. 22, 2014, no pet.) (mem. op.).

this Court advising as to the status of the appeal, instructing them that if the Court did not receive a response by August 25, 2014, the appeal would be subject to dismissal for want of prosecution. The August 25, 2014 deadline has passed, and appellants have made no response. Accordingly, we reinstate the appeal and dismiss it for want of prosecution.²

Bob Pemberton, Justice

Before Chief Justice Jones, Justices Pemberton and Goodwin

Dismissed for Want of Prosecution

Filed: December 10, 2014

² See Tex. R. App. P. 42.3(b).