

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-10-00198-CV

Peter D. Wagner and Charlotte Jockman, Appellants

v.

Deutsch Bank National Trust Company, Appellee

**FROM THE COUNTY COURT AT LAW NO. 1 OF TRAVIS COUNTY
NO. C-1-CV-10-000632, HONORABLE J. DAVID PHILLIPS, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellants filed their notice of appeal on April 9, 2010. This Court abated this appeal on July 31, 2010, after appellant Peter D. Wagner notified us of his filing for bankruptcy. *See Tex. R. App. P. 8.1, 8.2.* Our abatement informed the parties that failure to notify the Court that the bankruptcy proceeding had concluded could result in the dismissal of the appeal. After the abatement, no party to this appeal sought reinstatement or otherwise advised the Court of the status of the bankruptcy proceeding. *See Tex. R. App. P. 8.3.* We have now been informed that the bankruptcy case related to this appeal concluded on September 1, 2010.¹

On November 3, 2016, this Court sent the parties notice that the appeal would be dismissed for want of prosecution unless they filed a status report providing reason to retain this

¹ We considered this appeal as part of an ongoing review of cases that were abated for bankruptcy but did not reflect a final disposition or current status report from the parties.

appeal. *See* Tex. R. App. P. 42.3(b). No response was filed, and the notices sent to appellants at the last address provided to this Court were returned as undeliverable.

We reinstate this appeal and dismiss it for want of prosecution.

David Puryear, Justice

Before Justices Puryear, Pemberton, and Field

Dismissed for Want of Prosecution

Filed: December 1, 2016