

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00746-CV

Gene Doss Construction, Inc., Appellant

v.

Frank Smith's, Inc. d/b/a The Deadfish Grill, Appellee

**FROM THE DISTRICT COURT OF BELL COUNTY, 146TH JUDICIAL DISTRICT
NO. 245,047-B, HONORABLE RICK MORRIS, JUDGE PRESIDING**

MEMORANDUM OPINION

This Court abated this appeal on December 28, 2012, after receiving notice of a related bankruptcy.¹ After the abatement, no party to this appeal sought reinstatement.² We have now been informed that the bankruptcy case related to this appeal is closed and, therefore, have reinstated the appeal.

On October 28, 2016, the Clerk of this Court sent notice to the parties that this appeal would be dismissed for want of prosecution unless a status report was filed on or before November 7, 2016, that provided any reasons to retain this appeal.³ To date, no response has been filed. Accordingly, we dismiss the appeal for want of prosecution.

¹ See Tex. R. App. P. 8.1, 8.2.

² See Tex. R. App. P. 8.3.

³ See Tex. R. App. P. 42.3(b), 42.3(c).

Bob Pemberton, Justice

Before Justices Puryear, Pemberton, and Goodwin

Dismissed for Want of Prosecution

Filed: June 6, 2017