

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-21-00066-CV

Leah Ann Brisco, Appellant

v.

Kevin J. Kahlden, Appellee

**FROM THE 201ST DISTRICT COURT OF TRAVIS COUNTY
NO. D-1-FM-19-003975, THE HONORABLE MAYA GUERRA GAMBLE, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

In this interlocutory appeal of the trial court’s January 13, 2021 order appointing a receiver to take charge and possession of and to sell the parties’ marital home, appellant has filed a motion to stay the trial court’s receivership order while her appeal is pending. We temporarily grant the motion to stay the trial court’s order appointing a receiver. *See* Tex. R. App. P. 29.3. While the Court’s stay is in place, the Court prohibits the receiver from taking any action pursuant to the trial court’s receivership order.

In addition, we abate this appeal and remand to the trial court for a determination of whether appellant’s rights would be adequately protected by supersedeas or another order under Texas Rule of Appellate Procedure 24 and, if so, of the amount and type of security that appellant must post. *See id.* R. 24.1, 24.2; *see also id.* R. 29.1, 29.3; *WC 1st & Trinity, LP v. Roy F. and JoAnn Cole Mitte Found.*, No. 03-19-00905-CV, 2019 WL 6972679, at *1 (Tex. App.—

Austin Dec. 19, 2019, no pet.) (mem. op.). Appellant is ordered to file a status report with this Court concerning the status of the supersedeas proceedings on or before April 30, 2021.

It is ordered on April 9, 2021.

Before Chief Justice Byrne, Justices Baker and Smith

Abated and Remanded

Filed: April 9, 2021