



**NUMBER 13-09-00644-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

---

**A. J. MORRIS, M. D., A.J. MORRIS, M.D., P.A.,  
AND RIO GRANDE VALLEY IMAGING, INC.**

**Appellants,**

**v.**

**TOSHIBA AMERICA MEDICAL SYSTEMS, INC.,  
JUAN GARCIA, LEO PEREZ, AND  
CURE SOUTHEAST MEDICAL SERVICES, INC.**

**Appellees.**

---

**On appeal from the 107th District Court  
of Cameron County, Texas.**

---

**MEMORANDUM OPINION**

**Before Justices Rodriguez, Vela, and Perkes  
Memorandum Opinion Per Curiam**

This appeal was abated by this Court on April 13, 2010, due to the bankruptcy of one of the parties to this appeal. See 11 U.S.C. 362; see *generally* TEX. R. APP. P. 8. Since the abatement there has been no activity in this appeal. On October 4, 2011, the

Court ordered the parties to file an advisory regarding the status of the appeal and, if applicable, a motion to reinstate the appeal or a motion to dismiss the appeal.

Appellants have failed to respond. Appellees, Toshiba America Medical Systems, Inc., Leo Perez, and Juan Garcia, responded to the order by filing a motion to reinstate and dismiss the appeal. A copy of the bankruptcy court's order approving trustee report and discharging trustee is attached to their motion. Appellee, Cure Southeast Medical Services, Inc., has responded by informing the Court that they believe the appeal should be dismissed for want of prosecution.

Accordingly, appellees' motion to reinstate and dismiss the appeal is GRANTED. We reinstate and dismiss the appeal for want of prosecution. See TEX. R. APP. P. 42.3(b).

PER CURIAM

Delivered and filed the  
3rd day of November, 2011.