



NUMBER 13-12-00614-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

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MARCO A. RAMIREZ,

Appellant,

v.

AMBROSIO HERNANDEZ, M.D.,

Appellee.

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On appeal from the 389th District Court  
of Hidalgo County, Texas.

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## MEMORANDUM OPINION

Before Justices Rodriguez, Contreras, and Benavides  
Memorandum Opinion by Justice Benavides

This appeal was abated by this Court on December 9, 2013, due to the bankruptcy of appellant, Marco A. Ramirez. 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 May 12, 2015, 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. On May

26, 2015, the court-appointed receiver for Marco Ramirez, Eduardo S. Espinosa, filed an advisory notifying this Court that the stay remained in effect. On August 16, 2016, this Court requested another advisory from the parties regarding the status of this appeal. On October 3, 2016, counsel for the receiver filed a letter notifying this Court that the close of the receivership was still open, but would likely be coming to a close. On August 15, 2017, this Court ordered the parties to file another advisory regarding the status of the appeal. On August 16, 2017, appellee notified this Court that on March 31, 2017, the United States District Court entered final judgment against appellant in the underlying federal litigation. On August 18, 2017, the former receiver for appellant, Espinosa, notified this Court that the receivership was terminated by the United States District Court on October 20, 2016, and the previous stay in this case was no longer in effect.

Appellant has failed to respond to this Court's latest order. Numerous efforts by this Court to reach and locate appellant by telephone and United States Postal Service have been unsuccessful. Furthermore, appellant has not provided this Court with any updated contact information. Accordingly, we will treat appellant's failure to respond to this Court's orders as a failure to comply with the requirements of the Texas Rules of Appellate Procedure, this Court's orders, and attempted notices from the clerk of this Court, which required a timely response from appellant. See TEX. R. APP. P. 42.3(c).

Accordingly, we REINSTATE and DISMISS appellant's appeal. See TEX. R. APP. P. 42.3(c).

GINA M. BENAVIDES,  
Justice

Delivered and filed the  
31st day of August, 2017.