

DISMISS and Opinion Filed April 30, 2021



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-11-00429-CV

**LONNIE BURGESS AND ALL OCCUPANTS, Appellants
V.
HARDY CREDIT CO, THE SUCCESSORS AND OR ASSIGNEES OF
LIBERTY SAVINGS BANK FSB, Appellee**

**On Appeal from the County Court at Law No. 3
Dallas County, Texas
Trial Court Cause No. CC-10-02543-C**

MEMORANDUM OPINION

Before Justices Molberg, Goldstein, and Smith
Opinion by Justice Goldstein

We reinstate this appeal. This case was abated in 2011 due to bankruptcy. *See* TEX. R. APP. P. 8.2. The Court conducted an independent review of the federal Public Access to Court Electronic Records (PACER) system which shows the bankruptcy case associated with this appeal was dismissed on August 25, 2011, effectively dissolving the automatic stay.

We notified the parties by letter, requesting they inform the Court of the status of the bankruptcy and of this appeal. We cautioned that the failure to respond would

result in the appeal being dismissed for want of prosecution. *See id.* 42.3(b),(c). To date, neither party has responded.

Because we gave the parties an opportunity to show why we should not dismiss the appeal for want of prosecution and no one responded, we dismiss this appeal. *See id.* 42.3(b),(c).

/Bonnie Lee Goldstein/
BONNIE LEE GOLDSTEIN
JUSTICE

110429F.P05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

BURGESS, LONNIE AND ALL
OCCUPANTS, Appellants

No. 05-11-00429-CV V.

HARDY CREDIT CO, THE
SUCCESSORS AND OR
ASSIGNEES OF LIBERTY
SAVINGS BANK FSB, Appellee

On Appeal from the County Court at
Law No. 3, Dallas County, Texas
Trial Court Cause No. CC-10-02543-
C.

Opinion delivered by Justice
Goldstein. Justices Molberg and
Smith participating.

In accordance with this Court's opinion of this date, this appeal is
DISMISSED.

Judgment entered April 30, 2021