

DISMISS and Opinion Filed June 11, 2021



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

No. 05-13-01227-CV

**COMMERCIAL RECOVERY SYSTEMS, INC., Appellant
V.
CALIBER HOME LOANS, INC. F/K/A VERICREST FINANCIAL, INC.
AND CERNO SOLUTIONS, INC., Appellees**

**On Appeal from the 116th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-13-07683**

MEMORANDUM OPINION

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

We reinstate this appeal. In 2014, we abated this case due to Commercial Recovery Systems, Inc's 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 terminated on October 24, 2018, 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); *Brewer v. Admiral Ins. Co.*, 2002 WL 31312990, at *1 (Tex. App.—Dallas Oct. 16, 2002, no writ) (per curiam) (not designated for publication).

/Craig Smith/

CRAIG SMITH
JUSTICE

131227F.P05



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

JUDGMENT

COMMERCIAL RECOVERY
SYSTEMS, INC., Appellant

No. 05-13-01227-CV V.

CALIBER HOME LOANS, INC.
F/K/A VERICREST FINANCIAL,
INC. AND CERNO SOLUTIONS,
INC., Appellees

On Appeal from the 116th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-13-07683.
Opinion delivered by Justice Smith.
Justices Molberg and Goldstein
participating.

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

Judgment entered June 11, 2021