

Dismissed and Opinion Filed June 11, 2021



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-95-01209-CV

CONNIE A. FLETCHER AND FRANK J. BREWER, Appellants
V.
DEBORAH C. BRETT, NOT INDIVIDUALLY BUT AS THE GUARDIAN
OF JAMES E. BREWER, Appellee

On Appeal from the Probate Court No. 2
Dallas County, Texas
Trial Court Cause No. 95-622-P2(A)

MEMORANDUM OPINION

Before Justices Osborne, Pedersen, III, and Nowell
Opinion by Justice Pedersen, III

We reinstate this appeal. In 1996, we abated this case due to Connie A. Fletcher'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 May 28, 2004, 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).

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/Bill Pedersen, III//

BILL PEDERSEN, III
JUSTICE



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

JUDGMENT

CONNIE A. FLETCHER AND
FRANK J. BREWER, Appellants

No. 05-95-01209-CV V.

DEBORAH C. BRETT, NOT
INDIVIDUALLY BUT AS THE
GUARDIAN OF JAMES E.
BREWER, Appellee

On Appeal from the Probate Court
No. 2, Dallas County, Texas
Trial Court Cause No. 95-622-P2(A).
Opinion delivered by Justice
Pedersen, III. Justices Osborne and
Nowell participating.

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

Judgment entered this 11th day of June, 2021.