

DISMISS and Opinion Filed June 18, 2021



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

No. 05-95-01529-CV

**H. ANDREW LIPSCOMB, KAREN LIPSCOMB, AND H. ANDREW
LIPSCOMB, III, D.D.S., P.C., Appellants**

V.

NAB ASSET VENTURE III, L.P., Appellee

**On Appeal from the 95th District Court
Dallas County, Texas
Trial Court Cause No. 95-02986-D**

MEMORANDUM OPINION

Before Justices Schenck, Reichek, and Carlyle
Opinion by Justice Reichek

We reinstate this appeal. In March 1996, we abated this case due to the appellants' bankruptcies. *See* TEX. R. APP. P. 8.2. The Court has conducted an independent review of the federal Public Access to Court Electronic Records (PACER) system which shows there are no pending bankruptcy cases associated with these appellants, effectively dissolving the automatic stay.

We notified the parties by letter dated May 7, 2021, requesting they inform the Court of the status of the bankruptcies 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, no 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); *Tenet Healthsys. Hosps. Dallas, Inc. v. N. Tex. Med. Grp.*, 2021 WL 1808611, at *1 (Tex. App.—Dallas May 6, 2021, no pet. h.) (mem. op.).

/Amanda L. Reichek/
AMANDA L. REICHEK
JUSTICE

951529F.P05



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

JUDGMENT

H. ANDREW LIPSCOMB, KAREN
LIPSCOMB, H. ANDREW
LIPSCOMB, III, D.D.S., P.C.,
Appellants

No. 05-95-01529-CV V.

NAB ASSET VENTURE III, L.P.,
Appellee

On Appeal from the 95th District
Court, Dallas County, Texas
Trial Court Cause No. 95-02986-D.
Opinion delivered by Justice
Reichek. Justices Schenck and
Carlyle participating.

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

Judgment entered June 18, 2021