

**Dismissed and Opinion Filed July 20, 2021**



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

**No. 05-18-00109-CV**

**IN RE DON "DUNG" NGUYEN, Relator**

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**Original proceeding from the 14th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-13-13345**

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**MEMORANDUM OPINION**

Before Chief Justice Burns, Justice Molberg, and Justice Goldstein  
Opinion by Chief Justice Burns

We reinstate this original proceeding. On March 23, 2018, we abated this case when we were notified that real party in interest Chau Khanh Nguyen had filed bankruptcy in the United States Bankruptcy Court for the Northern District of Texas. *See* TEX. R. APP. P. 8.2. Later, the Court conducted an independent review of the federal Public Access to Court Electronic Records (PACER) system which shows real party in interest was discharged in April 2021 and the bankruptcy case associated with this original proceeding was terminated on July 7, 2021, effectively dissolving the automatic stay.

We previously notified the parties by letter dated May 7, 2021, requesting they inform the Court of the status of the bankruptcy and of this case. We cautioned that

the failure to respond would result in the case 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 case for want of prosecution and no one responded, we dismiss this original proceeding. *See id.* 42.3(b), (c); *In re Joachim*, 2021 WL 837334, at \*1 (Tex. App.—Dallas March 5, 2021, no pet.) (mem. op.).

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/Robert D. Burns, III/  
ROBERT D. BURNS, III  
CHIEF JUSTICE