

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

In re the Commitment of John Lewis Jr.

Nos. 01-26-00047-CV and 01-26-00053-CV · No. Nos. 01-26-00047-CV and 01-26-00053-CV · Decided April 16, 2026

SUMMARY

The First District Court of Appeals of Texas lifted an abatement and reinstated two appeals concerning a writ of commitment and an order authorizing medication. After the appellant testified that he no longer wished to pursue the appeals, the court granted the motion to dismiss both appeals under Texas Rules of Appellate Procedure 42.1(a) and 43.2(f).

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Gunn; Justice Caughey; Justice Morgan
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	April 16, 2026
DOCKET	Nos. 01-26-00047-CV and 01-26-00053-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed a writ of commitment and an order authorizing administration of medication. After appellant testified that he no longer wished to pursue the appeals, the court granted his motion to dismiss.
PRECEDENTIAL VALUE	published
PARTIES	John Lewis Jr. v. The State of Texas

TOPICS

appellate procedure mootness health law

PRACTICE AREAS

appellate procedure health law

QUESTIONS PRESENTED

1. Whether the court should dismiss the two appeals after appellant stated that he no longer wished to pursue them.
2. Whether any other pending motions should be dismissed as moot.

HOLDINGS

1. The court granted appellant's motion to dismiss and dismissed both appeals because appellant testified that he no longer wished to appeal the commitment and medication-authorizing orders.
2. Any other pending motions were dismissed as moot.

KEY QUOTATIONS

“Because appellant has testified that he no longer wishes to appeal the orders committing him to Kingwood Pines and authorizing Kingwood Pines to administer medication, we grant appellant’s motion to dismiss the two appeals.”

FACTUAL BACKGROUND

On January 5, 2026, the trial court entered a writ committing appellant to Kingwood Pines for observation and/or treatment for up to forty-five days and separately authorized administration of medication. By the time of the appellate hearing, appellant was no longer committed to Kingwood Pines and testified that he did not wish to pursue either appeal.

PROCEDURAL HISTORY

The Probate Court No. 4 of Harris County, Texas, entered a January 5, 2026 writ of commitment and order authorizing medication administration. Appellant filed two appeals. The appellate court abated and remanded the appeals for a hearing regarding whether appellant had abandoned them or no longer wished to pursue them, then reinstated the appeals after receiving the hearing record and dismissed both appeals.

DISPOSITION

dismissed

OPINION

PER CURIAM.

Opinion issued April 16, 2026 In The Court of Appeals For The First District of Texas NO. 01-26-00047-CV NO. 01-26-00053-CV IN RE: THE COMMITMENT OF JOHN LEWIS JR., Appellant On Appeal from the Probate Court No. 4 Harris County, Texas Trial Court Case No. i385936 and i385936-01 MEMORANDUM OPINION In appellate case number 01-26-00047-CV, appellant appealed from a writ of commitment, signed January 5, 2026, committing him to Kingwood Pines for observation and/or treatment for a period not to exceed forty-five (45) days.

In case number 01-26-00053-CV, appellant appealed the order signed January 5, 2026, authorizing the administration of medication. On February 5, 2026, appellant's counsel filed a notice of dismissal of the two appeals, stating that she had been unable to meet with appellant and believes that appellant no longer wishes to pursue the appeal.

We construe this notice as a motion to dismiss. The Court issued an order in both appeals on March 19, 2026, abating and remanding to the trial court for a hearing to determine if appellant had abandoned the appeals or no longer wishes to pursue the appeals.

On April 1, 2026, the hearing record was filed containing appellant's testimony that, because he was no longer committed to Kingwood Pines, he did not wish to pursue the appeals of the two orders of January 5, 2026.

We lift the abatement and reinstate the appeals on the active docket. Because appellant has testified that he no longer wishes to appeal the orders committing him to Kingwood Pines and authorizing Kingwood Pines to administer medication, we grant appellant's motion to dismiss the two appeals.

We dismiss these appeals. See TEX. R. APP. P. 42.1(a), 43.2(f). Any other pending motions in these cases are dismissed as moot. PER CURIAM Panel consists of Justices Gunn, Caughey, and Morgan. 2