

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Osama Gendra v. Damion Haskett and Belinda McMiller

No. 01-23-00782-CV, Court of Appeals for the First District of Texas (March 31, 2026)

SUMMARY

The Texas Court of Appeals for the First District reinstated and dismissed an appeal after the parties reported that they had settled all outstanding issues. The court granted the motions to dismiss under Texas Rules of Appellate Procedure 42.1(a)(1) and 43.2(f), and dismissed other pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Rivas-Molloy; Justice Johnson; Justice Dokupil
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	March 31, 2026
DOCKET	01-23-00782-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed from the trial court's final judgment. After the appeal was abated for mediation and the parties reported settlement, the appellate court reinstated the appeal and dismissed it on the parties' motions.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Osama Gendra v. Damion Haskett, Belinda McMiller

TOPICS

- appellate procedure
- mootness
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure
- contract settlement

QUESTIONS PRESENTED

- Whether the appeal should be dismissed after the parties reached a settlement resolving all outstanding issues.

2. Whether any other pending motions should be dismissed as moot.

HOLDINGS

1. The court construed the parties' settlement letter as a joint motion to dismiss, reinstated the appeal, and dismissed the proceeding.
2. Any other pending motions were dismissed as moot.

KEY QUOTATIONS

“case settled during mediation.”

“the parties reached a settlement of all outstanding issues”

FACTUAL BACKGROUND

The parties participated in mediation after the appeal was abated. They reported that the case had settled, and the appellees represented that the settlement resolved all outstanding issues.

PROCEDURAL HISTORY

Osama Gendra filed a notice of appeal from the final judgment of the 11th District Court of Harris County, Texas. The Court of Appeals abated the appeal and referred the parties to mediation. The parties reported that the case settled, and the appellees later moved to reinstate and dismiss the appeal. The court granted the motions, dismissed the appeal, and dismissed other pending motions as moot.

DISPOSITION

dismissed

OPINION

Osama Gendra v. Damion Haskett and Belinda McMiller

PER CURIAM.

Opinion issued March 31, 2026 In The Court of Appeals For The First District of Texas

NO. 01-23-00782-CV

OSAMA GENDRA, Appellant V. DAMION HASKETT AND BELINDA MCMILLER, Appellees

On Appeal from the 11th District Court Harris County, Texas Trial Court Case No. 2017-22285

MEMORANDUM OPINION

Appellant Osama Gendra filed a notice of appeal from the trial court's final judgment. We abated the appeal and referred the parties to mediation. On January 3, 2024, the parties filed a letter stating that the “case settled during mediation.” We construe the parties’ letter as a joint motion to dismiss. On March 27, 2026, appellees Damion Haskett and Belinda McMiller filed a motion to reinstate and dismiss the appeal asserting that “the parties reached a settlement of all outstanding issues” and requesting that we “dismiss this proceeding.” We reinstate the appeal and grant the

motions to dismiss. See TEX. R. APP. P. 42.1(a)(1), 43.2(f). We dismiss any other pending motions as moot.

PER CURIAM

Panel consists of Justices Rivas-Molloy, Johnson, and Dokupil. 2

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