

COURT OF APPEALS FOR THE FIFTH DISTRICT OF TEXAS AT DALLAS

In re Chuan Chen

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OPINION

PER CURIAM.

Order entered January 26, 2023 In The Court of Appeals Fifth District of Texas at Dallas No. 05-22-01246-CV IN RE CHUAN CHEN, Relator Original Proceeding from the 192nd Judicial District Court Dallas County, Texas Trial Court Cause No. DC-21-17249 ORDER Before Justices Nowell, Goldstein, and Breedlove We reinstate this original proceeding to address real parties in interest's January 15, 2023 letter regarding this Court's January 10, 2023 abatement order, which we construe as a motion for clarification.

We GRANT the motion. We accordingly vacate our January 10, 2023 abatement order and issue the following order in its place. In this original proceeding, relator seeks a writ of mandamus compelling the trial court to vacate orders signed in the 192nd Judicial District of Dallas County, Texas by the Honorable Kristina Williams, whose term expired on December 31, 2022.

Rule 7.2(b) requires this Court to abate this proceeding to allow the successor judge to reconsider the challenged orders. See TEX. R. APP. P. 7.2(b) ("If the case is an original proceeding under Rule 52, the court must abate the proceeding to allow the successor to reconsider the original party's decision.").

Accordingly, we ABATE this original proceeding pursuant to Texas Rule of Appellate Procedure 7.2(b). This case is removed from the Court's active docket until further order of this Court to allow the successor judge to reconsider the following orders of the former judge of 192nd Judicial District: (1) the June 16, 2022 Order Granting Defendants' Motion to Compel Discovery Responses from Plaintiff and (2) the November 2, 2022 Order Granting Defendants' Motion for Discovery Sanctions and for Contempt of Court Against Plaintiff.

We further ORDER the parties to file a status report with this Court within TEN DAYS of any ruling by the successor judge required by rule 7.2(b). /s/ ERIN A. NOWELL JUSTICE