

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

City of Taylor, Texas; Mayor Dwayne Ariola, in His Official Capacity; Council Members Gerald Anderson, Shelli Cobb, Kelly Cmerek, Robert Garcia, in Their Official Capacities; and City Manager Bryan Laborde, in His Official Capacity v. Robert Marek, Cherie Turner-Marek, Julius A. Wolbrueck, Roxana Thomas Wolbrueck, Jona Enterprises LLC, Michael F. Herzog Jr., Laurel T. Herzog, Glen R. Polasek, Joan P. Polasek, Duane D. Stoll, Sandra G. Stoll, Cecilia Ida Hannan as Trustee of The Cecilia Ida Hannan Trust, Loren Hengst, Kathleen Hengst, Erwin Hengst, and Sara Hengst

Nos. 03-25-00369-CV and 03-25-00546-CV · No. Nos. 03-25-00369-CV and 03-25-00546-CV · Decided
February 27, 2026

SUMMARY

The Texas Court of Appeals, Third District, granted the parties' joint motion to continue abating two appeals for an additional 90 days while they pursue settlement negotiations. The court ordered the parties to file a dismissal motion, reinstatement motion, or status report with a motion to extend the abatement by May 28, 2026.

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-25-00369-CV NO. 03-25-00546-CV City of Taylor, Texas; Mayor Dwayne Ariola, in his Official Capacity; Council Members Gerald Anderson, Shelli Cobb, Kelly Cmerek, Robert Garcia, in their Official Capacities; and City Manager Bryan Laborde, in his Official Capacity, Appellants v. Robert Marek, Cherie Turner-Marek, Julius A. Wolbrueck, Roxana Thomas Wolbrueck, Jona Enterprises LLC, Michael F. Herzog Jr., Laurel T. Herzog, Glen R. Polasek, Joan P. Polasek, Duane D. Stoll, Sandra G. Stoll, Cecilia Ida Hannan as Trustee of The Cecilia Ida Hannan Trust, Loren Hengst, Kathleen Hengst, Erwin Hengst, and Sara Hengst, Appellees FROM THE 425TH JUDICIAL DISTRICT COURT OF WILLIAMSON COUNTY, NO. 24-0447-C425, THE HONORABLE BETSY F. LAMBETH, JUDGE PRESIDING ORDER AND MEMORANDUM OPINION PER

CURIAM On appellants' unopposed motion, this Court previously abated these appeals to allow the parties to engage in settlement negotiations.

As ordered by the Court, the parties have filed a joint status report regarding their request to extend the abatement period. They also filed a joint motion to abate these appeals for an additional three months to continue their efforts to negotiate and resolve this matter.

We grant the parties' joint motion and abate the appeal for an additional 90 days to allow the parties more time to engage in settlement negotiations. The parties shall submit a motion to dismiss the appeals, a motion to reinstate the appeals, or a status report on the settlement process accompanied by a motion to extend the abatement on or before May 28, 2026.

It is so ordered on February 27, 2026. Before Justices Triana, Kelly, and Ellis Abated Filed: February 27, 2026 2