

COURT OF APPEALS OF TEXAS, FOURTH DISTRICT, SAN ANTONIO

Law Office of Matthew S. Norris, PLLC, Matthew S. Norris, Steven Norris Law Firm, P.C., and Steven Norris v. Ecke & Poling, PLLC

Law Office of Matthew S. Norris · No. 04-17-00231-CV · Decided August 10, 2017

SUMMARY

The Fourth Court of Appeals of Texas granted the appellants' unopposed motion to abate the appeal to facilitate settlement. The court ordered the appellants to file a motion requesting an appropriate disposition of the appeal by September 29, 2017, citing Texas Rule of Appellate Procedure 42.1 and 43.2.

CASE DETAILS

COURT	Court of Appeals of Texas, Fourth District, San Antonio
WRITING FOR THE COURT	Per Curiam; Sandee Bryan Marion, Chief Justice
JURISDICTION	Texas
DECIDED	August 10, 2017
DOCKET	04-17-00231-CV
DISPOSITION	other
PROCEDURAL POSTURE	On appeal from the 408th Judicial District Court of Bexar County, appellants moved without opposition to abate the appeal to facilitate settlement.
PRECEDENTIAL VALUE	Published
PARTIES	Law Office of Matthew S. Norris, PLLC, Matthew S. Norris, Steven Norris Law Firm, P.C., Steven Norris v. Ecke & Poling, PLLC

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QUESTIONS PRESENTED

1. Whether the appellate court should abate the appeal to facilitate the parties' settlement.

HOLDINGS

1. The court granted appellants' unopposed motion to abate the appeal to facilitate settlement.

KEY QUOTATIONS

“Appellants’ unopposed motion to abate this appeal to facilitate a settlement is GRANTED.”

FACTUAL BACKGROUND

The parties had an appeal pending in the Court of Appeals for the Fourth District of Texas. Appellants requested that the appeal be abated to facilitate settlement, and the motion was unopposed.

PROCEDURAL HISTORY

The appeal arose from trial court cause number 2017-CI-04007 in the 408th Judicial District Court of Bexar County. The appellate court granted appellants' unopposed motion to abate the appeal for settlement purposes and ordered appellants to file a motion requesting an appropriate disposition by September 29, 2017.

DISPOSITION

other

REMAND INSTRUCTIONS

The appeal was abated, and appellants were ordered to file a motion requesting an appropriate disposition of the appeal no later than September 29, 2017.

CASES CITED

- Caballero v. Heart of Texas Pizza, L.L.C., 70 S.W.3d 180, 180 (Tex. App.—San Antonio 2001, no pet.)

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas August 10, 2017 No. 04-17-00231-CV LAW OFFICE OF MATTHEW S. NORRIS, PLLC, Matthew S. Norris, Steven Norris Law Firm, P.C., and Steven Norris, Appellants v. ECKE & POLING, PLLC, Appellee From the 408th Judicial District Court, Bexar County, Texas Trial Court No. 2017-CI-04007 The Honorable Norma Gonzales, Judge Presiding ORDER Appellants’ unopposed motion to abate this appeal to facilitate a settlement is GRANTED.

It is ORDERED that the appellants file a motion requesting an appropriate disposition of this appeal no later than September 29, 2017. See Caballero v. Heart of Texas Pizza, L.L.C., 70 S.W.3d 180, 180 (Tex. App.—San Antonio 2001, no pet.); TEX. R. APP. P. 42.1, 43.2.

Sandee Bryan Marion, Chief Justice IN WITNESS

WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 10th day of August, 2017. _____ Luz Estrada Chief Deputy Clerk

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