

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

Cotter & Sons, Inc. et al. v. BJ Corporation d/b/a National Building Service

No. 04-16-00186-CV · No. No. 04-16-00186-CV · Decided November 15, 2017

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas November 15, 2017 No. 04-16-00186-CV COTTER & SONS, INC.; James F. Cotter; Alamo Towers-Cotter, LLC; Cotter 11211 Katy Freeway Building, LP; Cotter 7447 Harwin Building, LP; Cotter Equities LLC; Cotter Harwin Equities LLC; Cotter Katy Equities LLC; Cotter Katy Freeway Building, LP; Et Al., Appellants v. BJ CORPORATION D/B/A NATIONAL BUILDING SERVICE, Appellees From the 438th Judicial District Court, Bexar County, Texas Trial Court No. 2012-CI-09427 Honorable Gloria Saldana, Judge Presiding ORDER In this appeal, Appellant Alamo Towers—Cotter, LLC filed a suggestion of bankruptcy.

The suggestion discloses that Appellant filed a voluntary petition for bankruptcy in the United States Bankruptcy Court for the Western District of Texas under Case No. 17-52599-cag on November 6, 2017. See 11 U.S.C. § 362 (2012); TEX. R. APP. P. 8.1.

Accordingly, this appeal and all time periods under the Texas Rules of Appellate Procedure are stayed from the date the bankruptcy petition was filed in the bankruptcy court. See 11 U.S.C. § 362 (“Automatic stay”); TEX. R. APP. P. 8.2. This appeal is ABATED.

For administrative purposes, the appeal will be treated as a closed case unless and until it is reinstated in accordance with Rule 8.3 of the Texas Rules of Appellate Procedure. See TEX. R. APP. P. 8.3. _____ Patricia O. Alvarez, Justice IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 15th day of November, 2017. _____ KEITH E. HOTTLE, Clerk of Court