

COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

**Thomas T. Headen III v. Abundant Life Therapeutic Services Texas,
LLC, et al.**

Headen · No. 05-22-00293-CV · Decided September 9, 2022

OPINION

Thomas T. Headen III v. Abundant Life Therapeutic Services Texas, LLC

PER CURIAM.

Order entered September 9, 2022 In The Court of Appeals Fifth District of Texas at Dallas No. 05-22-00293-CV THOMAS T. HEADEN III, Appellant V.

ABUNDANT LIFE THERAPEUTIC SERVICES TEXAS, LLC, ET AL.,

Appellees On Appeal from the 68th Judicial District Court Dallas County, Texas Trial Court Cause No. DC-18-15576

ORDER

This is an appeal from the trial court's final judgment dismissing appellant's claims against appellees and awarding appellees attorney's fees and costs. Before the Court is appellee Abundant Life Therapeutic Services Texas, LLC's motion to dismiss the appeal based on appellant's alleged failure to comply with the trial court's post-judgment discovery order. Abundant Life asks in the alternative that the Court issue notice that the appeal will be dismissed unless appellant complies with the trial court's post-judgment order within ten days. Abundant Life moves to dismiss or issue notice of intent to dismiss under Texas Rule of Appellate Procedure 42.3(c), a discretionary rule. See TEX. R. APP. P. 42.3(c) (providing that appellate court may dismiss appeal based on appellant's failure to comply with court order). We DENY the motion. On the Court's own motion, we RESET the deadline for the filing of appellant's brief to October 3, 2022.

/s/ BONNIE LEE GOLDSTEIN

JUSTICE