

COURT OF APPEALS OF THE FIFTH DISTRICT OF TEXAS AT DALLAS

**Alliance Royalties, Inc. and Royalties, LLC v. Ventos Entities and
DLNGR NR LLC**

No. 05-15-01259-CV, Court of Appeals of the Fifth District of Texas at Dallas (October 10, 2016)

SUMMARY

The Fifth District Court of Appeals at Dallas denied the parties' joint motion to abate the appeal without prejudice. The court noted that the parties had reached a settlement but that their requested abatement period extended beyond the scheduled submission date, leaving open the possibility of seeking future relief if the settlement process was not completed.

OPINION

PER CURIAM.

Order entered October 10, 2016 In The Court of Appeals Fifth District of Texas at Dallas No. 05-15-01259-CV ALLIANCE ROYALTIES, INC. AND ROYALTIES, LLC, Appellants V. VENTOS ENTITIES AND DLNGR NR LLC, Appellees On Appeal from the County Court at Law No. 5 Dallas County, Texas Trial Court Cause No. CC-14-02930-E ORDER The Court has before it the parties' October 7, 2016 joint motion to abate this appeal pursuant to Texas Rule of Appellate Procedure 42.1(a)(2)(C).

In the motion, the parties state they have reached a settlement agreement and the "definitive settlement documents" must be completed and executed by October 28, 2016, after which the parties will request release of funds interpleaded into the trial court to the settling parties and then request a dismissal of this appeal.

The parties request we abate the case until December 15, 2016 to "accomplish this process." Submission of this appeal was previously postponed at the request of appellants. It is currently set for submission on briefs on November 15, 2016, eighteen days after the parties' own deadline for completing and executing the settlement documents. Given these circumstances, we DENY appellants' joint motion to abate the appeal without prejudice to the parties seeking relief in the future if they are unable to complete the settlement process by the date of submission. /s/ ROBERT M. FILLMORE PRESIDING JUSTICE