

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Alex E. Jones and Free Speech Systems, LLC v. Neil Heslin and
Scarlett Lewis

Jones v. Heslin · No. 03-23-00209-CV; 03-25-00617-CV; 03-25-00906-CV · Decided June 26, 2026

SUMMARY

The Texas Court of Appeals, Third District at Austin supplemented and amended prior orders concerning three consolidated appeals arising from the same Travis County trial-court cause. The court continued abatement of the merits appeal pending any challenge to the trial court’s June 10, 2026 supersedeas bond order, which set the bond at \$4,339,273.80, and maintained stays and restrictions concerning turnover and asset dissipation.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Chief Justice Byrne; Justice Kelly; Justice Ellis
JURISDICTION	Texas Court of Appeals, Third District at Austin
DECIDED	June 26, 2026
DOCKET	03-23-00209-CV; 03-25-00617-CV; 03-25-00906-CV
DISPOSITION	other
PROCEDURAL POSTURE	The court supplemented and amended prior memorandum opinions and orders concerning three appeals arising from the same trial-court cause. It continued abatement of the merits appeal pending any challenge to the trial court's supersedeas bond order and continued specified stays and asset-preservation restrictions in the other appeals.
PRECEDENTIAL VALUE	Published memorandum opinion; precedential status is identified as published in the supplied metadata.
PARTIES	Alex E. Jones, Free Speech Systems, LLC v. Neil Heslin, Scarlett Lewis, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, Robert Parker, Erica Ash

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the merits appeal should remain abated while appellants determine whether to challenge the trial court's supersedeas bond order.
2. Whether existing stays of turnover orders and asset-preservation restrictions should remain in effect in the related appeals.

HOLDINGS

1. The appeal in Cause No. 03-23-00209-CV shall remain abated through July 24, 2026, pending the filing of a challenge to the 2026 supersedeas bond order; if a challenge is filed by that date, the appeal will remain abated until further order.
2. The prior stays of the turnover orders and the prohibition against dissipating or transferring assets to avoid satisfaction of the judgment remain in effect, subject to the limitation that the trial court may not interfere with appellants' ordinary-course business use, transfer, conveyance, or dissipation of assets.

KEY QUOTATIONS

“This requirement can be enforced by the trial court, though the trial court cannot make any order that interferes with the appellants’ use, transfer, conveyance, or dissipation of assets in the normal course of business.” (2)

FACTUAL BACKGROUND

The trial court entered a nunc pro tunc order on June 10, 2026, setting the supersedeas bond at \$4,339,273.80. The appellants indicated that they intended to challenge that bond order in the merits appeal. Related appeals involved turnover orders and an appellate directive prohibiting the appellants from dissipating or transferring assets to avoid satisfaction of the judgment, subject to ordinary-course business activity.

PROCEDURAL HISTORY

The appeals arose from proceedings in the 261st and 459th District Courts of Travis County in cause number D-1-GN-18-001835. In the merits appeal, the appellate court previously abated the appeal and remanded for evidence and findings concerning a supersedeas bond contest under Texas Rule of Appellate Procedure 24.4(d). The trial court entered a nunc pro tunc bond order setting the bond at \$4,339,273.80, and the appellate court continued the abatement while allowing the appellants to challenge that order.

DISPOSITION

other

REMAND INSTRUCTIONS

The trial court was previously remanded to take evidence and make findings regarding the supersedeas bond contest. The merits appeal remains abated while any challenge to the June 10, 2026 bond order is filed and resolved as directed by the appellate court.

OPINION

Alex E. Jones and Free Speech Systems, LLC v. Neil Heslin and Scarlett Lewis

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-23-00209-CV

Alex E. Jones and Free Speech Systems, LLC, Appellants v. Neil Heslin and Scarlett Lewis,
Appellees

NO. 03-25-00617-CV

NO. 03-25-00906-CV

Free Speech Systems, LLC, Appellant v. Neil Heslin, Scarlett Lewis, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, Robert Parker, and Erica Ash, Appellees

FROM THE 261ST & 459TH DISTRICT COURT OF TRAVIS COUNTY

NO. D-1-GN-18-001835, THE HONORABLE MAYA GUERRA GAMBLE, JUDGE
PRESIDING

ORDER AND MEMORANDUM OPINION

PER CURIAM

The memorandum opinions and orders dated April 29 and May 21, 2026, addressing the above-listed appeals arising from the same trial-court cause are supplemented and amended as follows: This Court abated the appeal in Cause No. 03-23-00209-CV (Merits Appeal) and remanded that cause to the trial court to take evidence and make findings regarding the supersedeas bond contest. See Tex. R. App. P. 24.4(d). The trial court signed its Nunc Pro Tunc Order Regarding Supersedeas Bond Content (2026 Bond Order) on June 10, 2026, setting the supersedeas bond amount at \$4,339,273.80. Appellants have informed this Court by letter that they intend to challenge the 2026 Bond Order within the Merits Appeal. The Merits Appeal shall remain abated pending filing of that challenge through July 24, 2026. If no motion challenging the 2026 Bond Order has been filed and no other action has been taken by this Court extending the abatement on or before that date, the Merits Appeal will be automatically reinstated. If a motion challenging the Bond Order is filed on or before that date, the Merits Appeal will remain abated until further order of this Court. This Court's August 28, 2025 Order staying the turnover order in Cause No. 03-25-00617-CV and the April 29 and May 21, 2026 orders staying the turnover order in Cause No. 03-25-00906-CV remain in effect. See Tex. R. App. P. 24.4(c) ("The appellate court may issue any temporary orders

necessary to preserve the parties' rights.”). The May 21, 2026 Order prohibiting the Appellants in these cases from dissipating or transferring assets to avoid satisfaction of the judgment also remains in effect. This requirement can be enforced by the trial court, though the trial court cannot make any order that interferes with the appellants' use, transfer, conveyance, or dissipation of assets in the normal course of business. See *id.*; cf R. 24.2(d). It is ORDERED June 26, 2026. 2 Before Chief Justice Byrne, Justices Kelly and Ellis No. 03-23-00209-CV – Abated No. 03-25-00617-CV – Ordered No. 03-25-00906-CV – Ordered Filed: June 26, 2026 3