

FOURTEENTH COURT OF APPEALS OF TEXAS

**Exergy Development Group of Idaho, LLC and James T. Carkulis v.
Higher Power Energy, LLC, Blue Renewable Energy, LLC, and
Black Mountain Financial Corp.**

Exergy Development Group · No. 14-14-00788-CV · Decided January 27, 2015

SUMMARY

The Fourteenth Court of Appeals of Texas granted appellants' motion to reinstate the appeal after the district clerk filed the clerk's record. The court withdrew and vacated its January 13, 2015 opinion and judgment dismissing the appeal, reinstated the appeal, and set February 26, 2015, as the deadline for appellants' brief.

OPINION

PER CURIAM.

Motion Granted; Memorandum Opinion filed January 13, 2015, Withdrawn, Appeal Reinstated, and Order filed January 27, 2015 In The Fourteenth Court of Appeals _____ NO. 14-14-00788-CV _____ EXERGY DEVELOPMENT GROUP OF IDAHO, LLC AND JAMES T. CARKULIS, Appellants V. HIGHER POWER ENERGY, LLC, BLUE RENEWABLE ENERGY, LLC, AND BLACK MOUNTAIN FINANCIAL CORP, Appellees On Appeal from the 125th District Court Harris County, Texas Trial Court Cause No. 2012-67104 ORDER On January 13, 2015, this court issued an opinion dismissing this appeal for failure to make payment arrangements for the clerk's record.

On January 13, 2015, the district clerk filed the clerk's record. On January 16, 2015, appellants filed a motion to reinstate the appeal. Appellee Higher Power Energy opposes appellant's motion. The motion to reinstate is granted. This court's opinion filed January 13, 2015, is withdrawn, and our judgment of that date is vacated.

The appeal is ordered reinstated. Appellants' brief is due on or before February 26, 2015. PER CURIAM Panel consists of Justices Jamison, Busby, and Brown.