

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

**City of Taylor, Texas and Mayor Dwayne Ariola, and
Councilmembers Gerald Anderson, Shelli Cobb, Kelly Cmerek,
Robert Garcia, and City Manager Bryan Laborde, all named in their
Official Capacity v. Kristopher Kibodeaux and Jamie Kibodeaux**

No. 03-25-00547-CV · No. 03-25-00547-CV · Decided January 16, 2026

SUMMARY

The Texas Court of Appeals, Third District, extended the abatement of the appeal while the parties continued settlement negotiations. The court ordered the parties to file, by April 20, 2026, a motion to reinstate, a motion to dismiss, or a status report with a motion to extend the abatement.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Per Curiam; Chief Justice Byrne; Justice Crump; Justice Ellis
JURISDICTION	Texas Court of Appeals, Third District, at Austin
DECIDED	January 16, 2026
DOCKET	03-25-00547-CV
DISPOSITION	other
PROCEDURAL POSTURE	Interlocutory appellate order addressing a joint motion to extend the abatement of the appeal while the parties continued settlement negotiations.
PRECEDENTIAL VALUE	Published procedural order
PARTIES	City of Taylor, Texas, Mayor Dwayne Ariola, in his official capacity, Councilmember Gerald Anderson, in his official capacity, Councilmember Shelli Cobb, in her official capacity, Councilmember Kelly Cmerek, in her official capacity, Councilmember Robert Garcia, in his official capacity, City Manager Bryan Laborde, in his official capacity v. Kristopher Kibodeaux, Jamie Kibodeaux

TOPICS

appellate procedure

civil procedure

municipal law

PRACTICE AREAS

appellate procedure

civil procedure

municipal law

QUESTIONS PRESENTED

1. Whether the court should grant the parties' joint motion to extend the abatement of the appeal while settlement negotiations continued.

KEY QUOTATIONS

"We grant the parties' joint motion and extend the abatement of this appeal until April 20, 2026." (2)

FACTUAL BACKGROUND

The parties were engaged in settlement negotiations during the appeal. Their negotiations remained ongoing, and counsel filed a status report and joint motion requesting an additional three-month abatement.

PROCEDURAL HISTORY

The appeal was abated on August 18, 2025, while the parties engaged in settlement negotiations. The court later extended the abatement for three months pursuant to the parties' agreement. After receiving a status report that negotiations remained ongoing, the court granted the parties' joint motion and extended the abatement until April 20, 2026.

DISPOSITION

other

REMAND INSTRUCTIONS

The appeal remains abated until April 20, 2026. By that date, the parties must file either a motion to reinstate the appeal, a motion to dismiss the appeal, or a status report accompanied by a motion to extend the abatement.

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-25-00547-CV City of Taylor, Texas and Mayor Dwayne Ariola, and Councilmembers Gerald Anderson, Shelli Cobb, Kelly Cmerek, Robert Garcia, and City Manager Bryan Laborde, all named in their Official Capacity, Appellants v. Kristopher Kibodeaux and Jamie Kibodeaux, Appellees FROM THE 425TH JUDICIAL DISTRICT COURT OF WILLIAMSON COUNTY NO. 24-1746-C425, THE HONORABLE BETSY F. LAMBETH, JUDGE PRESIDING ORDER AND MEMORANDUM OPINION PER CURIAM We abated this appeal on August 18, 2025, while the parties engaged in settlement negotiations.

By order dated October 17, 2025, pursuant to the parties' agreement, we extended the abatement for three months. Counsel for appellants and counsel for appellees have filed a status report stating that their settlement negotiations are ongoing and a joint motion to extend the abatement period for an additional three months.

We grant the parties' joint motion and extend the abatement of this appeal until April 20, 2026. By April 20, 2026, the parties shall file either a motion to reinstate the appeal, a motion to dismiss the appeal, or a status report accompanied by a motion to extend the abatement. It is ordered on January 16, 2026.

Before Chief Justice Byrne, Justices Crump and Ellis Abated Filed: January 16, 2026 2