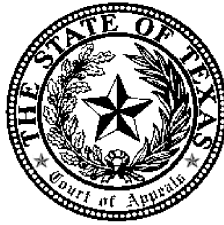


Dismissed and Opinion filed December 13, 2001.



In The
Fourteenth Court of Appeals

NO. 14-97-00008-CV

NEWTON B. SCHWARTZ, SR. AND SHAPIRO & WATSON, Appellants

V.

CONSTANCE COLLEY AND JERRY A. COLLEY, Appellees

**On Appeal from the 257th District Court
Harris County, Texas
Trial Court Cause No. 79-31259**

MEMORANDUM OPINION

This is an appeal from a judgment signed September 4, 1996. The clerk's record was filed on January 2, 1997. The reporter's record was filed on January 2, 1997. On January 23, 1997, this Court ordered the cause abated and treated as a closed case because one of the appellees had filed a petition for bankruptcy in the United States Bankruptcy Court, Southern District of Texas. On November 6, 2001, this Court received a certified copy of an order from the Bankruptcy Court, signed May 10, 2001, discharging the debtor, Jerry A. Colley, after completion of a Chapter 13 plan. On November 8, 2001, this Court issued an order requiring the parties to notify this Court within 15 days of the date of the order whether the

appeal should be reinstated or if the appeal should be dismissed. The parties filed no response to this Court's order.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed December 13, 2001.

Panel consists of Justices Anderson, Frost, and Guzman.

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