



**COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON**

ORDER

Appellate case name: Woody K. Lesikar, Individually, and as Trustee of the Woody K. Lesikar Special Trust v. Woodrow V. Lesikar Family Trust By and Through Its Beneficiary, The Carolyn Lesikar Moon Special Trust, and Its Trustee, Woody K. Lesikar Special Trust and Carolyn Ann Lesikar Moon, Individually

Appellate case number: 01-20-00286-CV

Trial court case number: 2008-65920-A

Trial court: 334th District Court of Harris County

On March 16, 2020, appellant, Woody K. Lesikar, Individually, and as Trustee of the Woody K. Lesikar Special Trust, filed a notice of appeal related to the trial court's February 25, 2020 "Order Granting Emergency Motion for an Order Requiring the Deposit of Funds into the Registry of this Court and to Reopen and Extend Discovery." On the motion of appellee, Carolyn Ann Lesikar Moon, the trial court, on May 21, 2020, amended its February 25, 2020 order. The May 21, 2020 order requires appellant to make a deposit into the registry of the court within 3 days of the date of the order.

On May 21, 2020, appellant filed an "Emergency Motion for Stay of Trial Court's May 21, 2020 Order," requesting that this Court stay the trial court's May 21, 2020 order through the pendency of the appeal. On May 22, 2020, we issued an order staying enforcement of the trial court's May 21, 2020 order to the extent that it required appellant to deposit funds into the court's registry within three days of date of the order. We further requested that appellee respond to appellant's motion to stay no later than May 28, 2020.

On May 28, 2020, appellee filed: (1) an "Emergency Motion for Temporary Orders"; (2) a motion to dismiss the appeal; and (3) "Appellee's Response to Appellant's Motion for Stay of Trial Court's May 21, 2020 Order." After consideration of appellant's motion to stay and appellee's response, we **withdraw our May 22, 2020 order** staying enforcement of the trial court's May 21, 2020 order.

Because this Court's May 22, 2020 order is withdrawn, appellee's "Emergency Motion for Temporary Orders" is **dismissed as moot**.

We further request that appellant file a response to appellee's motion to dismiss the appeal for lack of jurisdiction **within 10 days of the date of this order**.

It is so ORDERED.

Judge's signature: /s/ Evelyn V. Keyes
 X Acting individually

Date: May 29, 2020