



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

ORDER OF ABATEMENT

Appellate case name: Catherine Murrah Molloy v. Kevin Alan Fletcher

Appellate case number: 01-19-00840-CV

Trial court case number: 2018-67151

Trial court: 257th District Court of Harris County, Texas

Appellee Kevin Alan Fletcher filed a motion to show authority alleging that appellant Catherine Murrah Molloy had informed Fletcher that she no longer wished to prosecute the appeal but that her attorney refused to follow her instructions. Fletcher asked this Court to remand this case to the trial court for discovery and an evidentiary hearing on the question of the attorney's authority to act on behalf of Molloy.

Because the motion act presents questions of fact, we **order** the trial court **to file on or before August 18, 2020, findings of fact** as to whether Molloy wishes to continue prosecuting her appeal and the identity of the legal counsel representing her **and to take any other action the court deems necessary to make such findings of fact**. Within 10 days after the trial court has filed findings of fact, any party may file a request for specified additional or amended findings of fact. The trial court shall file any additional or amended findings that are appropriate within 10 days after such a request is filed. The trial court's **findings of fact** and any additional or amended findings of fact shall be **included in a supplemental clerk's record to be filed with this Court on or before September 15, 2020**.

The appeal is **abated**, treated as a closed case, and removed from this court's active docket. The appeal will be reinstated on this court's active docket when the trial court's findings and recommendations are filed in this court. The court will also consider an appropriate motion to reinstate the appeal filed by either party, or the court may reinstate the appeal on its own motion.

It is so **ORDERED**.

Judge's signature: /s/ Peter Kelly

Acting individually Acting for the Court

Date: June 23, 2020