Motion Granted and Abatement Order filed July 7, 2020

In The

Fourteenth Court of Appeals

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NO. 14-20-00335-CV
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RIPLEY DEAN SUTTON, Appellant

V.

EMMETT SUTTON III AND CHERYL STALLWORTH, Appellee

**On Appeal from the 250th District Court
Travis County, Texas
Trial Court Cause No. D-1-GN-19-002560**

ABATEMENT ORDER

The judgment on appeal (the January 10, 2020 order granting plaintiffs' motion for partial summary judgment) does not appear to be final. Appellant acknowledges the lack of finality and asks that we abate this appeal under Tex. R. App. P. 27.2 to allow the judgment to be made final. Appellees has filed an opposition to the motion.

Texas Rule of Appellate Procedure 27.2 permits a court of appeals to allow a

non-final appealed order "to be modified so as to be made final." Tex. R. App. P. 27.2. Accordingly, we GRANT appellant's motion to abate, abate this appeal, and remand to the trial court to permit the judgment on appeal to be made final. Any party who wishes to appeal from such a final judgment shall file an amended notice of appeal. A supplemental clerk's record containing any such judgment and a transcript of any hearing held in connection with this order shall be filed with this court by **August 6, 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 supplemental clerk's record is 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 the responsibility of any party seeking reinstatement to request a hearing date from the trial court and to schedule a hearing, if a hearing is required, in compliance with this court's order. If the parties do not request a hearing, the court coordinator of the trial court shall set a hearing date and notify the parties of such date.

<div align="center">PER CURIAM</div>

Panel consists of Justices Christopher, Jewell, and Hassan.