



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-10-00286-CV

THE EPISCOPAL DIOCESE OF
FORT WORTH, AFFILIATED WITH
THE EPISCOPAL CHURCH OF
THE UNITED STATES, THE
CORPORATION OF THE
EPISCOPAL DIOCESE OF FORT
WORTH, AND AN
UNINCORPORATED
ASSOCIATION HOLDING ITSELF
OUT AS ST. ANDREW'S
EPISCOPAL CHURCH,
AFFILIATED WITH THE
EPISCOPAL CHURCH OF THE
UNITED STATES

APPELLANTS

V.

RONALD D. WENNER, TRUSTEE
OF THE CYNTHIA BRANTS
CHARITABLE REMAINDER
UNITRUST, THE EPISCOPAL
DIOCESE OF FORT WORTH,
AFFILIATED WITH THE ANGLICAN
PROVINCE OF THE SOUTHERN
CONE, THE CORPORATION OF
THE EPISCOPAL DIOCESE OF
FORT WORTH, AMON CARTER
MUSEUM OF WESTERN ART, OLD
JAIL ART CENTER, AND AN
UNINCORPORATED

APPELLEES

ASSOCIATION HOLDING ITSELF
OUT AS ST. ANDREW'S
EPISCOPAL CHURCH,
AFFILIATED WITH THE ANGLICAN
PROVINCE OF THE SOUTHERN
CONE

FROM THE 355TH DISTRICT COURT OF HOOD COUNTY

ORDER

On October 26, 2010, this court ordered that this appeal should be held in abeyance pending final resolution of cause number 141-237105-09, styled *The Episcopal Church, et al. vs. Franklin Salazar, et al. vs. Margaret Mieuli, et al.*, or further order of this court. We stated that all appellate deadlines were suspended, and that no further action would be taken in this appeal until this court received written notice from any party advising the court that cause number 141-237105-09, styled *The Episcopal Church, et al. vs. Franklin Salazar, et al. vs. Margaret Mieuli, et al.* had been finally resolved, or until further order of this court. Appellants were ordered to advise this court within 14 days of the issuance of any order finally resolving that case. Upon receipt of such notice, this appeal, if still held in abeyance by this court, would be reinstated automatically without further order from this court. We also stated that our

October 26, 2010 order was not intended to impact this court's June 25, 2010 opinion in cause number 2-09-00405-CV, styled *In re Franklin Salazar; Jo Ann Patton; Walter Virden, III; Rod Barber; Chad Bates; Jack Leo Iker; Corporation for the Episcopal Diocese of Fort Worth; and The Episcopal Diocese of Fort Worth*.

On February 8, 2011, the trial court signed its Amended Order On Summary Judgment in cause number 141-237105-09. On April 5, 2011, the trial court signed an order severing all claims that are the focus of its February 8, 2011 amended order on summary judgment and transferring them from trial court cause number 141-237105-09 into new trial court cause number 141-252083-11. We also note that the amended order on summary judgment was directly appealed to the Texas Supreme Court on April 13, 2011.

Accordingly, because it appears to this court that the relevant claims have been resolved in the 141st District Court, this case is reinstated and the Appellants' brief is due **Wednesday, May 18, 2011**.

The clerk of this court is directed to transmit a copy of this order to the attorneys of record, the trial court judge, the trial court clerk, and the court reporter.

DATED April 18, 2011.

PER CURIAM