No. 01-23-00362-CV

==============================================================

IN THE COURT OF APPEALS

FOR THE FIRST DISTRICT OF TEXAS

HOUSTON, TEXAS

===================================

Candace Louise Curtis v. Carl Henry Brunsting, Individually and as Independent

Executor of the Estates of Elmer H. Brunsting and Nelva E. Brunsting

===================================

Original Proceeding from Harris County Probate Court No. 4

Cause No. 412,249-401

===================================

Appellants Request to Supplement the Record

===================================

# IDENTITY OF PARTIES AND COUNSEL

APPELLANT

Candace Louise Curtis

## APPELLANTS' ATTORNEY ON APPEAL

Candice Leonard Schwager

Texas Bar No. 24005603

The Schwager Law Firm

16807 Pinemoor Way

Houston, Texas 77058

832.857.7173

candiceschwager@outlook.com

APPELLEE Carl Henry Brunsting, Individually and as Independent

Executor of the Estates of Elmer H. Brunsting and Nelva E. Brunsting

*Bobbie G. Bayless* Attorney for Drina Brunsting,

Bayless & Stokes Alleged Attorney in Fact for Plaintiff Carl Brunsting Brunsting in his individual capacity

2931 Ferndale

Houston, Texas 77098

O: 713-522-2224

F: 713-522-2218

bayless@baylessstokes.com

APPELLEE ANITA BRUNSTING

*Stephen A. Mendel* Attorney for Co-Trustee Defendant, Anita Brunsting

Texas State Bar No. 13930650

1155 Dairy Ashford, Suite 300

Houston, Texas 77079

O: 281-759-3213

F: 281-759-3214

E: steve@mendellawfirm.com

APPELLEE AMY BRUNSTING

*Neal E. Spielman* Attorney for Co-Trustee Defendant, Amy Brunsting

Texas State Bar No. 00794678

nspielman@grifmatlaw.com

1155 Dairy Ashford, Suite 300

Houston, Texas 77079

281.870.1124 - Phone

281.870.1647 - Facsimile

APPELLANTS REQUEST TO SUPPLEMENT THE RECORD

In Appellees Supplemental Brief on Appellate Court Jurisdiction the Appellees argue that Appellant’s cited authorities cannot be relied upon and pointing only to Pappas v. Shamoun & Norman LLP in Appellants reply brief and claiming that no such case authority exists.[[1]](#footnote-1)

The analysis and citations presented by Curtis cannot be relied upon. Frankly, it is not possible to address both the substance of the appellate jurisdiction issue, and all of Curtis’ incorrect citations and confusing discussions of even her correct citations in the 2,500 word limitation required by the Court. But by way of example, and not as a limitation, some examples of the authoritative problems with Curtis’ Response are as follow:

1. A case called Pappas v. Shamoun & Norman LLP is cited for the proposition that an appellate court has jurisdiction to vacate a void judgment and dismiss the trial court proceeding. fn 19[[2]](#footnote-2)

While a case called Pappas v. Shamoun & Norman LLP does in fact exist it is not a published opinion and was not an authority cited by Appellant in any brief.

Respectfully submitted,

# CERTIFICATE OF SERVICE

I, Candice Schwager, hereby certify that the foregoing document, along with the Clerk and Reporters records, were served on all counsel of record through the state electronic filing system and via email on the 31st day of August 2023

# CERTIFICATE OF COMPLIANCE

I, Candice Schwager, hereby certify that this document was generated by a computer using Microsoft Word which indicates that the total word count of this document is 10,488 words and that the countable content is 9,471 words, including footnotes, and is thus in compliance with TEX. R. APP. P. 9.4(i)(2)(B).

Respectfully submitted,

1. Appellees Supplemental brief at P.11 [↑](#footnote-ref-1)
2. Pointing to Appellant’s Response at 1. [↑](#footnote-ref-2)