

C.A. No. 412249-401

ESTATE OF § IN PROBATE COURT
NELVA E. BRUNSTING, §
DECEASED §
§
§

CARL HENRY BRUNSTING §
V. §
ANITA KAY BRUNSTING & §
AMY R. BRUNSTING, Et Al §

Co-Trustees Notice to the Court
Regarding the Procedural Status of
Candace Curtis' Appeal

The Court set June 27, 2024 for a status conference on this case. Since one issue, among others, is the status of Candace Curtis' appeal under C.A. 01-23-00362-CV, pending before the 1ST Court of Appeals, the Co-Trustees provide the following:

- 02/14/2019 Probate Court denies Curtis' plea to the jurisdiction.
- 03/16/2019 Deadline for Curtis to appeal the denial of her plea to the jurisdiction.
- 02/25/2022 Probate Court grants the Co-Trustees motion for summary judgment. The summary judgment was final as Curtis.
- 03/27/2022 Deadline for Curtis to appeal the summary judgment granted in the Co-Trustees favor.
- 05/18/2022 Curtis files a notice of appeal as to the plea to the jurisdiction, summary judgment, and all matters ancillary to the probate of Nelva E. Brunsting.
- 07/03/2023 Curtis files her initial brief to the 1ST Court of Appeals.

- 10/02/2023 Co-Trustees and Carl Brunsting file their response brief with the 1ST Court of Appeals.
- 11/01/2023 Curtis files her reply brief to the Co-Trustees response brief.
- 01/08/2024 1ST Court of Appeals sets the case on its submission docket. Curtis' request for oral argument was denied.
- 02/22/2024 1ST Court of Appeals issues a notice of intent to dismiss for lack of subject matter jurisdiction, and orders Curtis to submit additional briefing within fourteen (14) days.
- 03/07/2024 Curtis files a response brief with the 1ST Court of Appeals on the issue of appellate court jurisdiction.
- 06/06/2024 1ST Court of Appeals orders the Co-Trustees and Carl Brunsting to file a reply to Curtis' response on the issue of appellate court jurisdiction. After granting the appellees an extension to file the reply, the reply is due 06/28/2024.

Based on the foregoing, none of the Appellees have any idea when the Court of Appeals will issue a ruling as to Curtis' appeal.

<p>Respectfully submitted,</p> <p>// s // Stephen A. Mendel</p> <hr/> <p>Stephen A. Mendel (SBN 13930650) Emily J. Wyatt (24088685) The Mendel Law Firm, L.P. 1155 Dairy Ashford, Suite 104 Houston, TX 77079 O: 281-759-3213 F: 281-759-3214 E: info@mendellawfirm.com</p> <p>Attorneys for Anita Brunsting</p>	<p>Respectfully submitted,</p> <p>// s // Neal E. Spielman</p> <hr/> <p>Neal E. Spielman (SBN 00794678) Griffin & Matthews 1155 Dairy Ashford, Suite 300 Houston, TX 77079 O: 281-870-1124 F: 281-870-1647 E: nspielman@grifmatlaw.com</p> <p>Attorneys for Amy Brunsting</p>

Certificate of Service

I certify that a true and correct copy of the foregoing instrument was served on the following:

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via eService, email, telefax, or first-class mail, on this June 26, 2024.

// s // Stephen A. Mendel

Stephen A. Mendel

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