

In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth

No. 02-25-00544-CV

Maurice Fitzpatrick, Jr.,

Appellant,
versus

Automotive Financial Group Incorporated; and AFG Companies Incorporated,

Plaintiffs-Appellees,
versus

Travis Gates; Genuine Lifetime, LLC; and Tyler Luck,

Defendants-Appellees,

On Appeal from the 48th District Court
Tarrant County, Texas
Trial Court No. 048-352249-24¹

APPELLANT'S MOTION TO REINSTATE APPEAL NO. 02-25-00544-CV

¹ Appellant filed identical notices of appeal in trial court cause numbers 017-352358-24 and 048-352358-24 challenging, among other civil rights and due process deprivations, the trial court's failure to "adjudicate" intervention and its imposition of a *de facto* denial of Appellant's Motion to Intervene (November 12, 2024). Without prior notice to Appellant, these two trial court cases were consolidated into trial court cause number 048-352249-24 on October 8, 2025, styled *Automotive Financial Group Inc. and AFG Companies, Inc. v. Travis Gates, Genuine Lifetime, LLC, and Tyler Luck*, pending in the 48th District Court of Tarrant County, Texas.

TO THE HONORABLE JUSTICES OF THE SECOND COURT OF APPEALS:

COMES NOW, Appellant Maurice Fitzpatrick, Jr., pro se, and respectfully moves this Honorable Court to reinstate the above-captioned appeal pursuant to the Court's January 6, 2026, Order permitting reinstatement upon the filing of a certified copy of a federal remand order. In lieu of such certification at this time, Appellant submits a sworn declaration under penalty of perjury attesting to the authenticity of the included federal court filings, including the remand order issued by the Hon. Chief Judge Reed O'Connor on January 6, 2026, in Case No. 4:25-cv-01272-O.

This motion is supported by Appellant's Declaration and true and correct copies of the documents filed in the federal case, as described herein.

Appellant seeks reinstatement of Appeal No. 02-25-00544-CV based on the completion of remand and renewed relevance of the appellate issues that had been interrupted by removal to federal court.

PRAYER

WHEREFORE, Appellant respectfully prays that this Court reinstate Appeal No. 02-25-00544-CV and for such other and further relief to which Appellant may be justly entitled.

Respectfully Submitted,

/s/ Maurice Fitzpatrick, Jr.
Maurice Fitzpatrick, pro se
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CERTIFICATE OF CONFERENCE

Pursuant to Texas Rule of Appellate Procedure 10.1(a)(5) and the Second Court of Appeals (Local Rule 3.B), I certify that conference with Appellees' counsel was not possible and would have been impracticable.

Appellees and their counsel have previously obstructed and bypassed my lawful and active appeal(s), including this appeal, filed in October 2025, by removing underlying proceedings to federal court while appellate jurisdiction was active and/or pending, and have repeatedly failed to engage or respond in good faith regarding appellate, jurisdictional, or other issues.

Under these circumstances, meaningful conference was and remains impossible. Accordingly, no conference occurred.

I certify this statement is true and correct.

DATED: January 9, 2026

/s/ Maurice Fitzpatrick, Jr.
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CERTIFICATE OF SERVICE

Appellant, Maurice Fitzpatrick, Jr., hereby certifies that a true and correct copy of the foregoing, *Appellant's Motion to Reinstate Appeal No. 02-25-00544-CV*, was served upon known attorney(s) of record of all parties to the above appeal through the Court's electronic filing system on January 7, 2026, and on January 9, 2026, to include certificate of conference.

/s/ Maurice Fitzpatrick, Jr.

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Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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NO. 02-25-00544-CV

Status as of 1/9/2026 11:14 AM CST

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