

IN THE SUPREME COURT OF TEXAS

=====
No. 05-0534
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RICHARD M. ROSS, PETITIONER,

v.

NATIONAL CENTER FOR THE EMPLOYMENT OF THE DISABLED,
AS SUCCESSOR IN INTEREST TO ACCESS HEALTHSOURCE, INC.,
ASSIGNEE OF O.R. BROOKER, ET AL., RESPONDENT

=====
ON PETITION FOR REVIEW FROM THE
COURT OF APPEALS FOR THE EIGHTH DISTRICT OF TEXAS
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PER CURIAM

In this appeal, Petitioner Richard Ross seeks review of a turnover order requiring him to relinquish a letter of credit or its proceeds to the National Center for the Employment of the Disabled to satisfy a default judgment against him. In a separate but related appeal, we granted Ross's bill of review and set aside the default judgment giving rise to the turnover order. *Ross v. Nat'l Ctr. for the Employment of the Disabled*, ___ S.W. ___ (Tex. 2006). "If the underlying judgment is reversed on appeal, then the turnover order must be reversed also." *Matthiessen v. Schaefer*, 915 S.W.2d 479, 480 (Tex. 1995).

Accordingly, without hearing oral argument, we reverse the court of appeals' judgment and render a take nothing judgment in the turnover proceeding. *See id.*; TEX. R. APP. P. 59.1.

Opinion delivered: August 31, 2006