



**COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON**

ORDER

Appellate case name: In re Cyberlux Corporation and Mark D. Schmidt

Appellate case number: 01-25-00455-CV

Trial court case number: 2024-48085

Trial court: 129th District Court of Harris County

Relators Cyberlux Corporation and Mark D. Schmidt filed a petition for writ of mandamus regarding the trial court's May 22, 2025 Order Appointing Receiver and June 12, 2025 oral denial of Relator's Emergency Motion to Stay or Otherwise Suspend Order Appointing Receiver.¹

Relators have also filed a Motion for Expedited Appeal and Request for Emergency Temporary Stay ("Emergency Motion"), requesting we stay the May 22, 2025 Order because the subject judgment has allegedly been satisfied, Cyberlux Corporation is struggling to operate with the order in effect, and Mark D. Schmidt never should have been included in the order.

On June 24, 2025, the Court requested Real Parties in Interest file a response to the Emergency Motion on or before noon on Monday June 30, 2025 and file a response to the petition for writ of mandamus **on or before Monday July 21, 2025**.

On June 28, 2025, the Receiver, Robert Berleth, filed a motion requesting an extension of 14 days to file his response to the Emergency motion. On June 29, 2025, Relators filed a response opposing the motion for extension.

We **EXTEND** the deadline for responses to the Emergency Motion, with the responses, if any, now being due **on or before July 14, 2025**.

We also **GRANT** a stay of the May 22, 2025 Order *while the Emergency Motion is pending*, staying enforcement, utilization, or the taking actions under the authority of the

¹ Relators also filed an interlocutory appeal of the same order and denial, which we have docketed as Case Number 01-25-00454-CV.

May 22, 2025 Order by the Receiver or any other persons or entities. The Receiver and parties may continue to participate in, and the trial court conduct, proceedings in the trial court, including proceedings to determine whether the subject judgment has been satisfied, how monies should be disbursed, and whether the receivership should be terminated. *See* TEX. R. APP. P. 52.10(b).

It is so ORDERED.

Judge's signature: /s/ Andrew Johnson
Acting individually

Date: June 30, 2025