



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN THE MATTER OF THE ESTATE
OF JAMES EDWARD O'DONNELL,
DECEASED

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No. 08-14-00064-CV
Appeal from the
Probate Court No. 1
of El Paso County, Texas
(TC# 2013-CPR03944)

MEMORANDUM OPINION

This appeal is before the Court on its own motion to determine whether it should be dismissed for want of prosecution. Finding that Appellant, Lindsey Schultz, has not filed a brief or a motion for extension of time to file her brief, we dismiss the appeal.

This Court possesses the authority to dismiss an appeal for want of prosecution when the Appellant has failed to file her brief in the time prescribed, and gives no reasonable explanation for such failure. TEX.R.APP.P. 38.8(a)(1); *Elizondo v. City of San Antonio*, 975 S.W.2d 61, 63 (Tex.App.--San Antonio 1998, no pet.). On April 23, 2014, we notified Appellant that her brief was past due and no motion for extension of time to file a brief had been received. The letter also informed Appellant of the Court's intent to dismiss the appeal for want of prosecution unless, within ten days of the notice, she responded showing grounds to continue the appeal.

Appellant has not filed a response. Accordingly, we dismiss the appeal for want of prosecution.

TEX.R.APP.P. 38.8(a)(1), 42.3(b).

May 14, 2014

YVONNE T. RODRIGUEZ, Justice

Before McClure, C.J., Rivera, and Rodriguez, JJ.