

Opinion filed April 19, 2012



In The
Eleventh Court of Appeals

No. 11-11-00249-CV

KEITH THOMAS, Appellant

V.

MELANIE ATWOOD ET AL., Appellees

On Appeal from the 259th District Court

Jones County, Texas

Trial Court Cause No. 22450

MEMORANDUM OPINION

This is an appeal from a final judgment signed on August 17, 2011. We dismiss the appeal for want of prosecution.

Appellant, Keith Thomas, timely filed a notice of appeal on September 8, 2011. TEX. R. APP. P. 26.1. A clerk's record was filed in this court on December 8, 2011. Appellant was notified by a written letter dated December 14, 2011, that his brief was due for filing on or before January 9, 2012. Appellant did not file his brief on or before January 9, 2012. On February 13, 2012, the clerk of this court advised appellant in writing that his brief was past due. The clerk

further informed appellant that, on its own motion, the court had granted him an extension until March 14, 2012, to file his brief. The clerk's letter of February 13, 2012, further advised appellant that the failure to file his brief by March 14, 2012, might result in his appeal being dismissed for want of prosecution pursuant to TEX. R. APP. P. 38.8 and 42. There has been no response to the clerk's letter of February 13, 2012. The failure to timely file appellant's brief appears to be due to appellant's acts and omissions.

Therefore, pursuant to TEX. R. APP. P. 38.8(a)(1) and 42.3(b), the appeal is dismissed for want of prosecution.

PER CURIAM

April 19, 2012

Panel consists of: Wright, C.J.,
McCall, J., and Kalenak, J.