

Opinion filed July 31, 2020



In The
Eleventh Court of Appeals

No. 11-20-00003-CV

CAROL MONTANO, Appellant

V.

WAL-MART STORES, INC., Appellee

**On Appeal from the 244th District Court
Ector County, Texas
Trial Court Cause No. C-17-09-1168-CV**

MEMORANDUM OPINION

Appellant’s brief was originally due to be filed in this court on or before March 4, 2020. After sending two notices that the brief was past due; granting a motion for extension of time to file the brief, extending the due date to April 29, 2020; and then extending the due date, on the court’s own motion, to July 13, 2020, this court still has not received Appellant’s brief. On June 11, 2020, this court notified Appellant that we expected her brief to be filed by July 13, 2020, with no further extensions, and that the failure to file her brief by July 13 “may result in

dismissal of the appeal.” *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b). As of this date, Appellant has not filed a brief, nor has she requested another extension of time in which to file her brief. Based upon Appellant’s failure to prosecute this appeal in a timely manner, we conclude that this appeal should be dismissed. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b).

Accordingly, we dismiss this appeal for want of prosecution.

PER CURIAM

July 31, 2020

Panel consists of: Bailey, C.J.,
Stretcher, J., and Wright, S.C.J.¹

Willson, J., not participating.

¹Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas at Eastland, sitting by assignment.