

Dismissed and Opinion Filed December 8, 2015.



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-14-01577-CV

WAYNE A. RAND, Appellant

V.

DOROTHY DENNISE RAND, Appellee

On Appeal from the 255th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-1306590

MEMORANDUM OPINION

Before Chief Justice Wright and Justices Lang and Brown
Opinion by Justice Lang

Appellee has moved to dismiss this appeal based on appellant's failure to prosecute. *See* TEX. R. APP. P. 38.8(a)(1). Our records reflect appellant's brief was originally due July 16, 2015. On October 19, 2015, after giving appellant more than ninety additional days to file his brief, we ordered appellant to file his brief no later than November 9, 2015. In our order, we cautioned appellant that no further extensions would be granted. To date, however, he has not filed his brief. He also has not filed a response to appellee's motion, which was filed November 24, 2015. Because appellant has failed to file his brief, we grant appellee's motion and dismiss the appeal. *See id.*; *see also* TEX. R. APP. P. 42.3(b),(c).

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

141577F.P05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

WAYNE A. RAND, Appellant

No. 05-14-01577-CV V.

DOROTHY DENNISE RAND, Appellee

On Appeal from the 255th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DF-1306590.

Opinion delivered by Justice Lang. Chief
Justice Wright and Justice Brown
participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

We **ORDER** appellee Dorothy Dennise Rand recover her costs, if any, of this appeal
from appellant Wayne A. Rand.

Judgment entered this 8th day of December, 2015.