

DISMISS; and Opinion Filed January 19, 2017.



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

No. 05-16-00785-CV

**JIMMY HOUSTON, Appellant
V.
CITIMORTGAGE INC., Appellee**

**On Appeal from the County Court at Law No. 5
Dallas County, Texas
Trial Court Cause No. CC-16-02798-E**

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Lang-Miers, and Justice Myers
Opinion by Justice Lang-Miers

Appellant's brief in this case is overdue. By postcard dated October 4, 2016, we notified appellant the time for filing his brief had expired. We directed appellant to file a brief and an extension motion within ten days. We cautioned appellant that failure to file a brief and an extension motion would result in the dismissal of this appeal without further notice. To date, appellant has not filed a brief, filed an extension motion, or otherwise corresponded with the Court regarding the status of this appeal.

Accordingly, we dismiss this appeal. *See* TEX. R. APP. P. 38.8(a) (1), 42.3(b) (c).

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE



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

JUDGMENT

JIMMY HOUSTON, Appellant

No. 05-16-00785-CV V.

CITIMORTGAGE INC., Appellee

On Appeal from the County Court at Law
No. 5, Dallas County, Texas
Trial Court Cause No. CC-16-02798-E.
Opinion delivered by Justice Lang-Miers.
Chief Justice Wright and Justice Myers
participating.

In accordance with this Court's opinion of this date, this appeal is **DISMISSED**.

It is **ORDERED** that appellee CITIMORTGAGE INC. recover its costs of this appeal from appellant JIMMY HOUSTON.

Judgment entered this 19th day of January, 2017.