

**Dismiss and Opinion Filed September 26, 2023**



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

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**No. 05-23-00237-CV**

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**CHARLES FOSTER MALLOY, SR., Appellant  
V.  
KENDALL MILAGRO INC., Appellee**

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**On Appeal from the County Court at Law No. 5  
Dallas County, Texas  
Trial Court Cause No. CC-23-00423-E**

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**MEMORANDUM OPINION**

Before Justices Pedersen, III, Garcia, and Kennedy  
Opinion by Justice Pedersen, III

On July 11, 2023 we sent a letter to the parties questioning our jurisdiction and requested jurisdictional briefing by July 21, 2023. We warned appellant that the appeal was subject to dismissal without further notice should appellant fail to file the requested letter brief. To date, appellant has not filed a letter brief or otherwise corresponded with the Court regarding the status of this appeal.

We dismiss this appeal. *See* Tex. R. App. P. 38.8(a)(1); 42.3(b), (c).

/Bill Pedersen, III/  
**BILL PEDERSEN, III**  
**JUSTICE**



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

**JUDGMENT**

CHARLES FOSTER MALLOY,  
SR., Appellant

No. 05-23-00237-CV      V.

KENDALL MILAGRO INC.,  
Appellee

On Appeal from the County Court at  
Law No. 5, Dallas County, Texas  
Trial Court Cause No. CC-23-00423-  
E.

Opinion delivered by Justice  
Pedersen, III. Justices Garcia and  
Kennedy participating.

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

Judgment entered this 26<sup>th</sup> day of September, 2023.