

Opinion issued November 1, 2012



In The  
Court of Appeals  
For The  
First District of Texas

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NO. 01-12-00410-CV

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IN THE INTEREST OF J.W., a child

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On Appeal from the 315th District Court  
Harris County, Texas  
Trial Court Cause No. 2009-05447J

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**MEMORANDUM OPINION**

Appellant filed a notice of appeal containing two trial court cause numbers: 2009-05444J and 2009-05447J. Because each trial court cause number must be assigned a separate appellate court number, these appeals were docketed as two separate appeals, 01-11-01067-CV and 01-12-00410-CV, respectively. However,

the clerk's record indicates that appellant was adjudicated in 2009-05444J, now appeal number 01-11-01067-CV, and that the trial court granted the State's motion to nonsuit the cause underlying this appeal, 2009-05447J.

Appellant filed a brief in appeal number 01-11-01067-CV, but no brief was filed in this appeal. The brief was due in this appeal on August 29, 2012. On September 14, 2012, appellant was notified that this appeal of the cause that had been nonsuited was subject to dismissal for failure to timely file a brief. *See* TEX. FAM. CODE ANN. § 56.01(b) (West Supp. 2012) (requirements governing a juvenile appeal are as in civil cases generally); TEX. R. APP. P. 38.6(a) (governing time to file brief), 38.8(a) (governing failure of appellant to file brief). After being notified that this appeal was subject to dismissal, appellant did not respond. *See* TEX. R. APP. P. 42.3(b) (allowing involuntary dismissal of case).

We dismiss the appeal for want of prosecution for failure to timely file a brief.

We dismiss any pending motions as moot.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Bland and Huddle.