

Dismissed and Memorandum Opinion filed February 11, 2010.



In The

Fourteenth Court of Appeals

NO. 14-09-00541-CV

DONALD R. JONES, SR., Appellant

V.

UNION PACIFIC RAILROAD COMPANY, Appellee

On Appeal from the 164th District Court
Harris County, Texas
Trial Court Cause No. 2006-02597

MEMORANDUM OPINION

This is an appeal from a judgment signed March 27, 2009. On July 9, 2009, this court ordered the parties to mediation. The order states, in pertinent part, “If mediation fully resolves the issues in the case, the court **ORDERS** the parties to file a joint dispositive motion within *10 days of the conclusion of the mediation*. If the parties need more time to effectuate the terms of the settlement agreement, they **shall**, within *10 days of the conclusion of the mediation*, file a joint or agreed motion for an extension of time to file their dispositive motion.” On September 29, 2009, the court was advised the parties did not settle at mediation, but that a tentative agreement was reached and the parties hoped to

complete the settlement within thirty days. More than thirty days passed, and no notice that the settlement had been completed was filed.

On December 3, 2009, the court ordered the parties to file a response within fifteen days informing the court of the status of the settlement of this case. No response was filed.

On January 6, 2010, notification was transmitted to all parties of the court's intention to dismiss the appeal for failing to comply with this court's December 3, 2009, order, unless a response was filed within fifteen days demonstrating good cause to continue the appeal. *See* Tex. R. App. P. 42.3(c). No response was filed.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Anderson and Christopher.