

Dismissed and Memorandum Opinion filed June 24, 2010.



In The

Fourteenth Court of Appeals

NO. 14-10-00315-CV

BRIAN K. MCPHERSON, Appellant

V.

DAVID A. JALUFKA, SHERIFF, Appellee

**On Appeal from the 81st District Court
Karnes County, Texas
Trial Court Cause No. 09-05-00067-CV/K**

MEMORANDUM OPINION

This appeal is from a judgment signed January 27, 2010. The clerk's record was filed on March 15, 2010. The reporter's record was filed March 30, 2010. No brief was filed.

On April 14, 2010, this Court issued an order stating that unless appellant submitted his brief, together with a motion reasonably explaining why the brief was late, on or before

May 24, 2010, the Court would dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 42.3(b).

Appellant filed a Request for Extension of Time to File Appeal seeking until September 6, 2010, to obtain findings of fact and conclusions of law. This appeal is from a chapter 14 dismissal. Because the case was not tried, appellant is not entitled to findings of fact or conclusions of law. *See* Tex. R. App. P. 296. The request was denied.

As of this date, no brief has been filed. Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Brown, Sullivan, and Christopher.