

Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-09-00753-CV

Richard **RIVAS** Jr. and Richard R. Serenil,
Appellants

v.

Randy **ORTIZ**,
Appellee

From the 218th Judicial District Court, Frio County, Texas
Trial Court No. 08-09-00220-CVF
Honorable Stella Saxon, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Steven C. Hilbig, Justice
Marialyn Barnard, Justice

Delivered and Filed: June 16, 2010

DISMISSED FOR WANT OF PROSECUTION

The appellants' brief of Richard Rivas Jr. and Richard R. Serenil was originally due March 19, 2010. The court granted appellants an extension until April 19, 2010 to file the brief. Neither the brief nor a motion for extension of time was filed. On May 5, 2010, we ordered appellants to file, not later than May 17, 2010, their appellants' brief and a written response reasonably explaining their failure to timely file the brief. We advised appellants that if they failed to file a brief and the

written response by the date ordered, we would dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a). Appellants have not filed a brief or the written response ordered by the court.

We therefore **order** this appeal dismissed for want of prosecution.

PER CURIAM