

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00027-CV

RACHEL A. JACO, Appellant

V.

BILLY E. ELSBERRY, JR., Appellee

On Appeal from the 9th District Court
Montgomery County, Texas
Trial Cause No. 08-07-07220-CV

MEMORANDUM OPINION

Rachel A. Jaco filed a notice of appeal but failed to file a brief. On March 17, 2010, we notified the parties that the brief had not been filed and warned the appellant that her failure to file a brief could result in a dismissal of the appeal for want of prosecution. On April 7, 2010, we notified the parties that the appeal would be submitted to the Court without oral argument. *See* TEX. R. APP. P. 39.8. In the absence of a brief assigning error for appellate review, we dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1); TEX. R. APP. P. 42.3(b).

APPEAL DISMISSED.

DAVID GAULTNEY
Justice

Submitted on April 28, 2010
Opinion Delivered May 6, 2010

Before Gaultney, Kreger, and Horton, JJ.