



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-22-00447-CV

JOHNATHAN RAY FLUELLYN, Appellant

v.

DISCOVERY CH II, LLC, Appellee

On Appeal from County Court at Law No. 2
Denton County, Texas
Trial Court No. CV-2022-03292-JP

Before Kerr, Birdwell, and Bassel, JJ.
Per Curiam Memorandum Opinion

MEMORANDUM OPINION AND JUDGMENT

On June 26, 2023, we notified appellant that his brief had not been filed as the appellate rules require. *See* Tex. R. App. P. 38.6(a). We stated that we could dismiss the appeal for want of prosecution unless, within ten days, appellant filed with the court an appellant's brief and an accompanying motion reasonably explaining the brief's untimely filing and why an extension was needed. *See* Tex. R. App. P. 10.5(b), 38.8(a)(1), 42.3(b). We have received no response.

Because appellant has failed to file a brief even after we afforded an opportunity to explain the initial failure, we dismiss the appeal for want of prosecution.¹ *See* Tex. R. App. P. 38.8(a)(1), 42.3(b), 43.2(f).

Per Curiam

Delivered: July 20, 2023

¹We deny all pending motions as moot.