



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-13-00014-CV

DR. DANIEL CHAPARRO, III, APPELLANT

V.

KELLY PAUL D/B/A POOLS UNLIMITED, APPELLEE

On Appeal from County Court at Law No. 3
Lubbock County, Texas
Trial Court No. 2009-563,965; Honorable Judy C. Parker, Presiding

April 30, 2013

MEMORANDUM OPINION

Before QUINN, C.J., and CAMPBELL and PIRTLE, JJ.

Appellant, Dr. Daniel Chaparro, III, filed this appeal from the trial court's judgment in favor of Appellee, Kelly Paul d/b/a Pools Unlimited, which was entered following a jury trial. The clerk's record and reporter's record have both been filed¹ and Appellant's brief was originally due to be filed on April 3, 2013. When the brief was not filed, this Court notified Appellant of the defect by letter dated April 10, 2013, and extended the

¹It should be noted that both the trial court clerk and the court reporter filed motions to extend their respective deadlines due to delays occasioned by the Appellant's failure to timely prosecute this appeal.

deadline to April 22, 2013. Appellant was advised that failure to timely file the brief accompanied by a *Motion to Extend Time to File Appellant's Brief* would subject this appeal to dismissal pursuant to applicable rules of appellate procedure without further notice. Appellant did not respond and the brief remains outstanding.

Consequently, this appeal is dismissed for want of prosecution and failure to comply with a notice from the Clerk of this Court requiring action within a specified time. See TEX. R. APP. P. 38.8(a) and 42.3(b) and (c).

Patrick A. Pirtle
Justice