



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-10-00056-CV

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ANTHONY WAYNE WHITE, Appellant

V.

TDCJ-ID, Appellee

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On Appeal from the 369th Judicial District Court  
Anderson County, Texas  
Trial Court No. 369-10-4149

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Before Morriss, C.J., Carter and Moseley, JJ.  
Memorandum Opinion by Chief Justice Morriss

## MEMORANDUM OPINION

Anthony Wayne White filed his pro se notice of appeal April 19, 2010, from the trial court's dismissal of his suit as frivolous or malicious.<sup>1</sup>

The clerk's record was filed July 12, 2010. Therefore, the appellant's brief was due on or before August 11, 2010.

When neither a brief nor a motion to extend time for filing the same had been filed by September 10, 2010, we contacted appellant by letter and informed him that, if a brief had not been filed by September 27, 2010, the appeal would be subject to dismissal for want of prosecution. *See* TEX. R. APP. P. 42.3(b), (c).

No brief has been filed. Pursuant to Rule 42.3(b) of the Texas Rules of Appellate Procedure, we dismiss this appeal for want of prosecution. TEX. R. APP. P. 42.3(b).

Josh R. Morriss, III  
Chief Justice

Date Submitted:      October 19, 2010  
Date Decided:        October 20, 2010

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<sup>1</sup>Originally appealed to the Twelfth Court of Appeals, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. *See* TEX. GOV'T CODE ANN. § 73.001 (Vernon 2005).