



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

No. 06-17-00028-CV

ESTATE OF MARLENE JEAN HUTCHINGS, DECEASED

On Appeal from the County Court at Law
Lamar County, Texas
Trial Court No. P-18065

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

MEMORANDUM OPINION

Byron Hutchings filed a timely notice of appeal on February 14, 2017, and an amended notice of appeal on April 16, 2017. The clerk's record was filed on April 4, 2017, and the reporter's record was filed on April 10, 2017. The original deadline for Hutchings' appellate brief was May 17, 2017. After Hutchings filed a motion for extension of time in which to file his brief, this Court extended the filing deadline to June 19, 2017. When neither a brief nor a motion to extend time for filing same was received by June 19, 2017, this Court advised Hutchings by letter dated July 5, 2017, that the brief was late. We further extended the deadline for filing the brief to July 20, 2017. We warned Hutchings that failure to file the brief by July 20, 2017, would subject this appeal to dismissal for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).

We have received no responsive communication from Hutchings and have not received his appellate brief. Since we have received no response to this Court's letter of July 5, 2017, Hutchings' appeal is ripe for dismissal for want of prosecution. Consequently, and pursuant to Rules 38.8 and 42.3 of the Texas Rules of Appellate Procedure, we dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).

Josh R. Morriss, III
Chief Justice

Date Submitted: August 3, 2017
Date Decided: August 4, 2017