



**IN THE  
TENTH COURT OF APPEALS**

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**No. 10-10-00129-CV**

**PEGGY BLAKELY,**

**Appellant**

**v.**

**WELLS FARGO BANK, N.A.,**

**Appellee**

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**From the County Court at Law  
Ellis County, Texas  
Trial Court No. 09-C-3308**

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**MEMORANDUM OPINION**

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The clerk's record in this appeal was filed on April 1, 2010. Because no record was made of the hearing to which this appeal pertains, a brief from Peggy Blakely was due May 3, 2010. It was not filed.

On April 19, 2010, the Clerk of this Court warned Blakely that the docketing statement had not been filed. On May 5, Blakely requested a continuance. What appellant wanted continued was not clear from her motion. Her request was granted, however, as to both items that were past due on the date the motion was filed.

Blakely's brief and docketing statement were due 30 days from the date of the order granting the continuance.

Blakely was also warned that the failure to file the docketing statement or brief, or to timely and properly seek an extension of time to file either, would result in the dismissal of this appeal without further notification for failure to comply with the order or a notice from the Clerk. *See* TEX. R. APP. P. 42.3(c).

More than 30 days have passed and we have not received a docketing statement or brief, or a timely and properly sought extension of time to file either. Accordingly, this appeal is dismissed. *Id.*

TOM GRAY  
Chief Justice

Before Chief Justice Gray,  
Justice Reyna, and  
Justice Davis  
Appeal dismissed  
Opinion delivered and filed June 30, 2010  
[CV06]