

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-10-00688-CV

Kyle McCarrell, Appellant

v.

Chardonnay at Wells Branch Associates LP d/b/a Chardonnay at Wells Branch, Appellee

**FROM COUNTY COURT AT LAW NO. 2 OF TRAVIS COUNTY
NO. C-1-CV-10-007478, HONORABLE ERIC SHEPPERD, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Kyle McCarrell's brief was due on December 8, 2010. On January 11, 2011, this Court notified McCarrell that his brief was overdue and that a failure to respond to the overdue notice by January 21, 2011 could result in the dismissal of this appeal for want of prosecution. To date, McCarrell has not filed a brief or otherwise responded to the overdue notice. Accordingly, we dismiss this appeal for want of prosecution.

Diane M. Henson, Justice

Before Chief Justice Jones, Justices Henson and Goodwin

Dismissed for Want of Prosecution

Filed: March 11, 2011