

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00682-CV

**R. Michael Brown, as Member Manager/Broker of DeSilva Group, LLC
d/b/a Avaral Lakeway, Appellant**

v.

**Terri Frost and Douglas Byron, as President, Director, Registered Agent
of Austin at Bee Caves Realty Corp. a/k/a Avaral 360, Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 53RD JUDICIAL DISTRICT
NO. D-1-GN-10-002288, HONORABLE STEPHEN YELENOSKY, JUDGE PRESIDING**

MEMORANDUM OPINION

R. Michael Brown appeals from a partial summary judgment in favor of appellees. After Brown failed to timely pay or make arrangements to pay the clerk's fee for preparing the clerk's record, the clerk of this Court wrote him advising that he needed to make arrangements for the record and submit a status report regarding this appeal, and that if he did not do so or otherwise respond by February 4, 2013, his appeal would be subject to dismissal for want of prosecution. The February 4 deadline has passed, and Brown has made no response. Accordingly, we dismiss this appeal for want of prosecution. *See* Tex. R. App. P. 37.3(b); 43.2(f).

Bob Pemberton, Justice

Before Justices Puryear, Pemberton and Rose

Dismissed for Want of Prosecution

Filed: March 1, 2013