



NUMBER 13-07-00586-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

BELEN VARGAS, DECEASED,

Appellant,

v.

MARIANO VARGAS,

Appellee.

On Appeal from the 24th District Court
of De Witt County, Texas.

MEMORANDUM OPINION

**Before Justices Yañez, Benavides, and Vela
Memorandum Opinion Per Curiam**

Pro se appellant, Belen Vargas, perfected an appeal from a judgment entered by the 24th District Court of De Witt County, Texas, in cause number 07-01-20,545. The record was filed and appellant's brief became due, but no appellant's brief has been filed. On March 30, 2009, this Court was advised by appellant's sister, Linda Perez (Perez), that appellant died on October 5, 2008.

On June 8, 2009, the Clerk of this Court spoke with Perez regarding the administration of appellant's estate. Perez indicated that she was in the process of seeking legal counsel to appoint a legal representative for appellant's estate and determine if the representative, if any, and/or her heirs desire to prosecute the appeal. Perez stated that appellant had no children, was divorced, and that appellant's siblings are the closest living relatives. The Clerk of the Court sent a letter to Perez requiring her to inform the Court by July 31, 2009, whether there would be an administration of appellant's estate and whether there would be a legal successor to appellant who would be prosecuting the appeal to conclusion. Perez was advised that if the Court did not receive a response, the appeal would be subject to dismissal for want of prosecution. To date, the Court has not received any information regarding the administration of appellant's estate.

Accordingly, we dismiss the appeal for want of prosecution. See TEX. R. APP. P. 42.3(b).

PER CURIAM

Memorandum Opinion delivered
and filed this the 15th day of October, 2009.