



**NUMBER 13-09-00085-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**MIRTA ZORILLA,**

**Appellant,**

**v.**

**LAKE JAMES RECREATIONAL FACILITIES, INC.,**

**Appellee.**

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**On appeal from the 139th District Court  
of Hidalgo County, Texas.**

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**MEMORANDUM OPINION**

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

The appellant's brief in the above cause was due on April 16, 2009. On July 8, 2009, the Clerk of the Court notified appellant that the brief had not been timely filed and that the appeal was subject to dismissal for want of prosecution under Texas Rule of Appellate Procedure 38.8(a)(1), unless within ten days from the date of receipt of this

letter, appellant reasonably explained the failure and the appellee was not significantly injured by the appellant's failure to timely file a brief. To date, no response has been received from appellant.

Appellant has failed to either reasonably explain her failure to file a brief, file a motion for extension of time to file her brief, or file her brief. Accordingly, the appeal is DISMISSED FOR WANT OF PROSECUTION. See TEX. R. APP. P. 38.8(a), 42.3(b).

PER CURIAM

Memorandum Opinion delivered and  
filed this the 8th day of October, 2009.