



NUMBER 13-09-00239-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**REAL AZTECA INN, L.L.C. AND
RICARDO DE LA MORA,**

Appellants,

v.

FIRST VISTA INVESTMENTS, L.L.C.,

Appellee.

**On appeal from the 206th District Court
of Hidalgo County, Texas.**

MEMORANDUM OPINION

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

The appellants' brief in the above cause was due on August 21, 2009. On October 5, 2009, the Clerk of the Court notified appellants 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, appellants reasonably explained the failure and the appellee was not significantly injured by the appellants' failure to timely file a brief. To date, no response has been received from appellants.

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

PER CURIAM

Delivered and filed the
10th day of December, 2009.