



NUMBER 13-09-00553-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

DEBRA F. JALUFKA,

Appellant,

v.

JOHN JALUFKA,

Appellee.

**On appeal from the 94th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Rodriguez, Garza, and Benavides
Memorandum Opinion Per Curiam**

Appellant, Debra F. Jalufka, perfected an appeal from a judgment rendered against her in favor of appellee, John Jalufka. On November 19, 2009, the Clerk of this Court notified appellant that the clerk's record in the above cause was originally due on October 29, 2009, and that the deputy district clerk, Arnold Garcia, had notified this Court that

appellant failed to make arrangements for payment of the clerk's record. The Clerk of this Court notified appellant of this defect so that steps could be taken to correct the defect, if it could be done. See TEX. R. APP. P. 37.3, 42.3(b),(c). Appellant was advised that, if the defect was not corrected within ten days from the date of receipt of the notice, the appeal would be dismissed for want of prosecution.

Appellant has failed to respond to this Court's notice. Accordingly, the appeal is DISMISSED FOR WANT OF PROSECUTION. See TEX. R. APP. P. 42.3(b), (c).

Appellant's retained counsel, Patricia A. Shackelford, has filed a motion to withdraw as counsel. We GRANT said motion. Pursuant to Rule 6.5(c) of the Texas Rules of Appellate Procedure, counsel is directed to notify appellant, in writing, of any previously undisclosed deadlines and file a copy of that notice with the Clerk of this Court. Any pending motions are denied as moot.

PER CURIAM

Delivered and filed the
8th day of January, 2010.