



NUMBER 13-23-00014-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

JOHN AFIF DYE,

Appellant,

v.

MARK SALAS,

Appellee.

**On appeal from the County Court at Law No. 5
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Tijerina, Silva, and Peña
Memorandum Opinion by Justice Tijerina**

This matter is before the court on its own motion. On May 3, 2023, the Clerk of the Court notified appellant that, pursuant to Texas Rule of Appellate Procedure 38.8(a)(1), the appeal was subject to dismissal for want of prosecution unless, within ten days, appellant provided reasonable explanation for his failure to timely file a brief. See TEX. R.

APP. P. 38.8(a)(1). On May 25, 2023, appellant filed a motion for extension of time to file the brief. The request was granted and the deadline to file the brief was extended to June 1, 2023. However, appellant failed to file a brief on or before the new deadline.

On June 8, 2023, the Clerk of the Court notified appellant that, pursuant to Texas Rule of Appellate Procedure 38.8(a)(1), the appeal was subject to dismissal for want of prosecution unless, within ten days, appellant provided reasonable explanation for his failure to timely file a brief. Appellant failed to respond to the notice and has not filed a brief.

Appellant neither reasonably explained his failure to file a motion for extension of time nor filed his brief. Accordingly, the appeal is dismissed for want of prosecution. See TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).

JAIME TIJERINA
Justice

Delivered and filed on the
20th day of July, 2023.