



**NUMBER 13-23-00267-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

---

---

**RUBY VASQUEZ,**

**Appellant,**

**v.**

**MIDLAND CREDIT MANAGEMENT, INC.,**

**Appellee.**

---

---

**On appeal from the 36th District Court  
of Bee County, Texas.**

---

---

**MEMORANDUM OPINION**

**Before Chief Justice Contreras and Justices Silva and Peña  
Memorandum Opinion by Justice Peña**

This matter is before the Court on its own motion. On June 21, 2023, appellant emailed the district clerk a notice of appeal. On June 29, 2023, and August 10, 2023, the Clerk of the Court notified appellant that her notice of appeal was not in compliance with Texas Rules of Appellate Procedure 9.5, 25.1(d)(1) and (4), and 25.1(e). See TEX. R. APP. P. 9.5, 25.1(d)(1),(4), 25.1(e). On August 23, 2023, the Court received a return receipt

indicating that the second notice was unclaimed. On August 28, 2023, the Clerk of the Court again sent appellant notice of the defects to appellant via mail and to the email address appellant had used to submit the notice of appeal. Appellant was advised, if the defects were not corrected within ten days, the appeal would be dismissed. *Id.* 42.3(b), (c). To date, appellant has failed to correct the defects and has not otherwise responded to the clerk's notices.

Texas Rule of Appellate Procedure 9.1(b) requires unrepresented parties to sign any document filed and "give the party's mailing address, telephone number, fax number, if any, and email address." See *id.* 9.1(b). The clerk's office does not have a telephone number for appellant, and the district clerk did not have any additional contact information for the appellant.

Furthermore, Texas Rule of Appellate Procedure 42.3 permits an appellate court, on its own initiative after giving ten days notice to all parties, to dismiss the appeal for want of prosecution or for failure to comply with a requirement of the appellate rules. See *id.* 42.3(b), (c). Accordingly, we dismiss the appeal for want of prosecution. *Id.* 42.3.

L. ARON PEÑA JR.  
Justice

Delivered and filed on the  
12th day of October, 2023.