

NO. 12-10-00248-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

ROBERT C. MORRIS,
APPELLANT

§ *APPEAL FROM THE 349TH*

V.

§ *JUDICIAL DISTRICT COURT OF*

SHERRI MILLIGAN, ET AL.,
APPELLEES

§ *ANDERSON COUNTY, TEXAS*

MEMORANDUM OPINION
PER CURIAM

This appeal is being dismissed because Appellant, Robert C. Morris, has failed to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3. Pursuant to appellate rule 32.1, Morris's docketing statement was due to have been filed at the time the appeal was perfected, i.e., June 11, 2010. *See* TEX. R. APP. P. 32.1. On August 4, 2010, this court notified Morris that he should file a docketing statement immediately if he had not already done so.¹

Because Morris did not file the docketing statement as requested in our August 4, 2010 letter, this court issued a second notice on August 18, 2010, advising Morris that the docketing statement was past due. The notice further provided that unless the docketing statement was filed on or before August 30, 2010, the appeal would be presented for dismissal in accordance with Texas Rule of Appellate Procedure 42.3. The date for filing the docketing statement has passed, and Morris has not complied with the court's request. Because Morris has failed, after notice, to comply with rule 32.1, the appeal is *dismissed*. *See* TEX. R. APP. P. 42.3(c).

Opinion delivered September 15, 2010.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)

¹ Morris filed his notice of appeal in the trial court on June 11, 2010. This court did not receive the notice of appeal until August 4, 2010.