

NO. 12-13-00001-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

D.B. PARSON AND BRIDGET PARSON, § ***APPEAL FROM THE 392ND***
APPELLANTS

V. § ***JUDICIAL DISTRICT COURT***

SANDRA ROLLINS, WILLIE PARSON,
TOMMY PARSON AND FLORA MAE
PARSON JOHNSON,
APPELLEES § ***HENDERSON COUNTY, TEXAS***

MEMORANDUM OPINION
PER CURIAM

This appeal is being dismissed for want of prosecution. *See* TEX. R. APP. P. 42.3(b). Appellants, D.B. Parson and Bridget Parson, perfected their appeal on January 3, 2013. The clerk's record was filed on January 31, 2013. Appellants failed to pay or make arrangements to pay for the reporter's record, and on February 21, 2013, the appeal was ordered submitted on the clerk's record alone. The order also included a notice that Appellants' brief was due on or before March 20, 2013. However, Appellants did not file a brief.

On March 22, 2013, Appellants were notified that their brief was due to have been filed on or before March 20, 2013, but that neither a brief nor a motion for extension of time had been filed with the court. Appellants were further informed that the appeal could be dismissed for want of prosecution unless, no later than April 1, 2013, Appellants filed a motion for extension of time to file the brief, containing a reasonable explanation for their failure to file it and showing that Appellee had not suffered material injury thereby. *See* TEX. R. APP. P. 38.8.

The April 1, 2013 deadline for filing Appellants' motion for extension of time has passed, and Appellants have not filed the requested motion. Accordingly, we *dismiss* the appeal *for*

want of prosecution. See TEX. R. APP. P. 38.8(a)(1), 42.3.(b). All pending objections are overruled as moot.

Opinion delivered April 10, 2013.

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

(PUBLISH)



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT

APRIL 10, 2013

NO. 12-13-00001-CV

D.B. PARSON AND BRIDGET PARSON,

Appellants

V.

SANDRA ROLLINS, WILLIE PARSON, TOMMY PARSON

AND FLORA MAE PARSON JOHNSON,

Appellees

Appeal from the 392nd Judicial District Court
of Henderson County, Texas. (Tr.Ct.No.2012B-0596)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that since the appellant has filed no brief in this cause, the appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed for want of prosecution**; and that this decision be certified to the trial court below for observance.

By *per curiam* opinion.

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