

NO. 12-13-00257-CV
IN THE COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT
TYLER, TEXAS

ROBERT L. CLARK,
APPELLANT

§ **APPEAL FROM THE 241ST**

V.

DONALD DAVIDSON, ROBIN
MALEY, MARGAN SUMMERS,
RACHELLE HARTSGRAVES, MATT
BINGHAM, SMITH COUNTY, SMITH
COUNTY SHERIFF'S DEPARTMENT,
J. B. SMITH, LT. MARLIN SUELL,
TEXAS BOARD OF PARDONS AND
PAROLE,
APPELLEES

§ **JUDICIAL DISTRICT COURT**

§ **SMITH COUNTY, TEXAS**

MEMORANDUM OPINION
PER CURIAM

This appeal is being dismissed for failure to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3.

Pursuant to Rule 32.1, Appellant's docketing statement was due to have been filed at the time the appeal was perfected, i.e., August 15, 2013. *See* TEX. R. APP. P. 32.1. On August 19, 2013, this court sent a notice informing Appellant that he should file a docketing statement within ten days if he had not already done so.

Appellant did not file the docketing statement. Accordingly, on September 11, 2013, this court issued another notice advising Appellant that the docketing statement was past due. The notice further provided that unless the docketing statement was filed on or before September 23, 2013, the appeal would be presented for dismissal in accordance with Rule 42.3. The time for filing the docketing statement has expired, and Appellant has not complied with the court's

request. Because Appellant has failed to comply with Texas Rule of Appellate Procedure 32.1, the appeal is ***dismissed***. See TEX. R. APP. P. 42.3(c).

Opinion delivered September 25, 2013.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

SEPTEMBER 25, 2013

NO. 12-13-00257-CV

ROBERT L. CLARK,

Appellant

V.

**DONALD DAVIDSON, ROBIN MALEY, MARGAN SUMMERS, RACHELLE
HARTSGRAVES, MATT BINGHAM, SMITH COUNTY, SMITH COUNTY SHERIFF'S
DEPARTMENT, J. B. SMITH, LT. MARLIN SUELL, TEXAS BOARD OF PARDONS**

AND PAROLE,

Appellees

Appeal from the 241st District Court
of Smith County, Texas (Tr.Ct.No. 06-1323C)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this 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 failure to comply with Texas Rule of Appellate Procedure 32.1; and that this decision be certified to the court below for observance.

By *per curiam* opinion.

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