

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

	§	No. 08-08-00150-CV
	§	Appeal from the
IN THE INTEREST OF J.M.M., A	§	112th Judicial District Court
MINOR CHILD	§	of Pecos County, Texas
	§	(TC# P-10,635-112-CV)
	§	

MEMORANDUM OPINION

This appeal is before the Court on its own motion for determination whether this appeal should be dismissed for want of prosecution. Finding that Appellant has not filed a brief or a motion for extension of time, we dismiss the appeal.

Appellant's brief was due to be filed on May 21, 2008, but Appellant has not filed the brief or a motion for extension of time. On June 20, 2008, the clerk of this Court notified the parties of the Court's intent to dismiss for want of prosecution if, within ten days of the notice, no party responded showing grounds to continue the appeal. We have not received a response.

This Court possesses the authority to dismiss an appeal for want of prosecution when Appellant has failed to his brief in the time proscribed, and gives no reasonable explanation for such failure. TEX.R.APP.P. 38.8(a)(1); *Elizondo v. City of San Antonio*, 975 S.W.2d 61, 63 (Tex.App.--San Antonio 1998, no writ). We have given notice of our intent to do so, requested a response if a reasonable basis for failure to file the brief or statement of facts exists, and have recieved none. We see no purpose that would be served by declining to dismiss this appeal at

this stage in the proceedings. Therefore, we dismiss the appeal for want of prosecution pursuant to TEX.R.APP.P. 38.8(a)(1) and 42.3(c).

September 18, 2008

DAVID WELLINGTON CHEW, Chief Justice

Before Chew, C.J., McClure, and Carr, JJ.