



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

ARNOLD D. LACOUR AND
KIMBERLY PETTIT,

§

Appellants,

§

No. 08-21-00078-CV

v.

§

Appeal from the

ANAHI PINEDA AND SERGIO LEYVA,

§

County Court at Law No. 10

Appellees.

§

of Bexar County, Texas¹

§

(TC# 2021CV00084)

§

MEMORANDUM OPINION

This appeal is before the Court on its own motion to determine whether it should be dismissed for want of prosecution. Finding that Appellants have not filed a brief or a motion for extension of time, we dismiss the appeal.

On May 27, 2021, the Clerk of the Court sent the parties a notice that Appellants had not filed a brief or motion for extension of time. Further, the notice advised the parties of the Court's intent to dismiss for want of prosecution unless a party responded showing grounds to continue the appeal. No response has been received as of this date.

¹ We hear this case on transfer from Fourth Court of Appeals in San Antonio. *See* TEX.R.APP.P. 41.3.

This Court possesses the authority to dismiss an appeal for want of prosecution when the appellant has failed to file a brief in the time prescribed and gives no reasonable explanation for such failure. TEX.R.APP.P. 38.8(a)(1). Because Appellants failed to file a brief and have not responded to our inquiries,² we dismiss the appeal for want of prosecution pursuant to TEX.R.APP.P. 38.8(a)(1), 42.3(b), and 42.3(c).

June 29, 2021

YVONNE T. RODRIGUEZ, Chief Justice

Before Rodriguez, C.J., Palafox, and Alley, JJ.

² Appellees also filed a motion to dismiss contending that the appeal was moot because no supersedeas bond was filed and the judgment had already been executed. We asked Appellants for a response to this motion. Appellants did not respond to this request, either. Because we dismiss this appeal for want of prosecution, we overrule Appellees' motion to dismiss as moot.