

Opinion filed May 8, 2014



In The
Eleventh Court of Appeals

No. 11-14-00050-CV

SELISA HARKEY AND ADRIAN HARKEY, Appellants

V.

**THE BANK OF NEW YORK MELLON TRUST
COMPANY, N.A. ET AL., Appellees**

On Appeal from the 358th District Court

Ector County, Texas

Trial Court Cause No. D-134,928

MEMORANDUM OPINION

Appellants, Selisa Harkey and Adrian Harkey, filed a notice of appeal in this cause from an order granting a motion for summary judgment filed by some, but not all, of the defendants. Upon receiving the clerk's record, we issued a letter dated April 1, 2014, in which we notified Appellants that the notice of appeal was filed one day late and that the summary judgment did not appear to be final and

appealable as it did not dispose of all parties. In the letter, we requested that Appellants file a response on or before April 11, 2014, pertaining to both matters. We also informed Appellants that this appeal would be subject to dismissal if they failed to file a response showing grounds to continue. *See* TEX. R. APP. P. 42.3. Appellants have not filed any response to our letter dated April 1, 2014. Consequently, we dismiss the appeal pursuant to TEX. R. APP. P. 42.3.

This appeal is dismissed.

PER CURIAM

May 8, 2014

Panel consists of: Wright, C.J.,
Willson, J., and Bailey, J.