

Opinion filed October 31, 2014



In The

Eleventh Court of Appeals

No. 11-14-00082-CV

JOSEPH SCANLON, Appellant

V.

REAL STAR PROPERTY MANAGEMENT, Appellee

On Appeal from the County Court at Law No. 3

Bell County, Texas

Trial Court Cause No. 76,683

MEMORANDUM OPINION

Appellant's brief in this case was originally due on July 28, 2014. After this appeal became unduly stalled due to the failure of Appellant's retained counsel to file an appellate brief, we extended the deadline on our own motion and attempted to contact Appellant's retained counsel several times after being informed in August that he would be filing the brief "in the next few days." On September 30, 2014, this court issued an order directing counsel to file a brief on behalf of

Appellant on or before October 10, 2014. In the September 30 order, we informed Appellant that, if his brief was not received by 3:00 p.m. on October 10, this appeal could be dismissed for want of prosecution pursuant to TEX. R. APP. P. 38.8(a)(1) and 42.3. As of today, Appellant has yet to file a brief or a motion for extension and has not responded to this court's order or the inquiries regarding his brief. Accordingly, we conclude that the appeal should be dismissed based upon Appellant's failure to prosecute the appeal. TEX. R. APP. P. 38.8(a)(1), 42.3.

The appeal is dismissed for want of prosecution.

PER CURIAM

October 31, 2014

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