

Opinion filed July 19, 2018



In The

Eleventh Court of Appeals

No. 11-17-00223-CV

**HOLSTON BANKS, JR., PRISCILLA SMITH, BERNADETTE
YOUNG, TYRONE BANKS, TIMOTHY BANKS, AND BELINDA
GAIL SCOTT, Appellants**

V.

**CITY OF BIG SPRING, TEXAS AND DARNELL
CONSTRUCTION, LLC, Appellees**

**On Appeal from the 118th District Court
Howard County, Texas
Trial Court Cause No. 50329**

MEMORANDUM OPINION

Appellants' brief was originally due to be filed in this court on or before January 11, 2018. After receiving three extensions of time in which to file the brief, Appellants' counsel was permitted to withdraw despite the objections of his clients. Upon counsel's withdrawal, this court notified Appellants that their brief was due to

be filed on or before May 14, 2018. We subsequently notified Appellants that their brief was past due and extended the deadline to June 14, 2018. On June 25, 2018, the clerk of this again notified Appellants that their brief was past due. In the June 25 letter, this court extended the deadline to July 5, 2018, and informed Appellants that the failure to timely file their brief by the July 5 due date “**may result in dismissal of the appeal.**” *See* TEX. R. APP. P. 38.8(a)(1); 42.3(b). As of this date, Appellants have not filed a brief, nor have they requested any further extensions of time in which to file their brief. Based upon Appellants’ failure to prosecute this appeal in a timely manner, we conclude that this appeal should be dismissed. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b).

Accordingly, we dismiss this appeal for want of prosecution.

PER CURIAM

July 19, 2018

Panel consists of: Willson, J.,
Bailey, J., and Wright, S.C.J.¹

¹Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas, sitting by assignment.