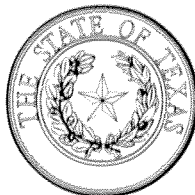


DISMISSED and Opinion Filed January 18, 2013.



**In The  
Court of Appeals  
Fifth District of Texas at Dallas**

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No. 05-12-00710-CV

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**DESTANY ATTAWAY, Appellant**  
v.  
**JACOLBY CLARK, Appellee**

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On Appeal from the 256th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DF-12-06356

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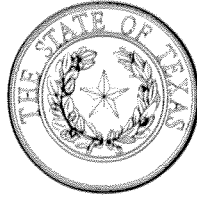
**OPINION**

Before Justices FitzGerald, Fillmore and Evans  
Opinion by Justice FitzGerald

Appellant's brief is overdue. By letter dated October 5, 2012, we notified appellant the time for filing her brief had expired. We directed appellant to file her brief and an extension motion within ten days. We cautioned appellant that failure to do so would result in the dismissal of this appeal. To date, appellant has not filed her brief, an extension motion, or otherwise corresponded with the Court regarding the status of this appeal.

Accordingly, we dismiss this appeal. *See* TEX. R. APP. P. 38.8 (A)(1); 42.3(b),(c).

  
KERRY FITZGERALD  
JUSTICE



**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

Destany Attaway, Appellant

No. 05-12-00710-CV      V.

Jacolby Clark, Appellee

On Appeal from the 256th Judicial District  
Court, Dallas County, Texas

Trial Court Cause No. DF-12-06356.

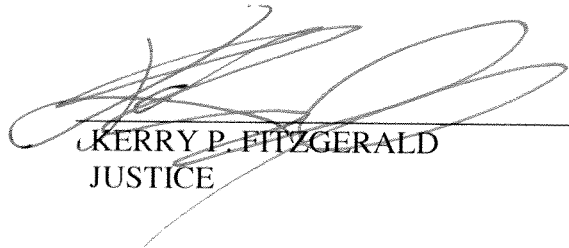
Opinion delivered by Justice FitzGerald.

Justices Fillmore and Evans participating.

In accordance with this Court's opinion of this date, this appeal is **DISMISSED**.

It is **ORDERED** that appellee Jacolby Clark recover his costs of this appeal from appellant Destany Attaway.

Judgment entered this 18<sup>th</sup> day of January, 2013.

  
KERRY P. FITZGERALD  
JUSTICE