

DISMISS and Opinion Filed December 4, 2013.



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

No. 05-12-00824-CV

DERWIN PACE, Appellant

V.

**BANK OF AMERICA, N.A. AS SUCCESSOR BY MERGER TO BAC HOME LOANS
SERVICING, LP F/K/A COUNTRYWIDE HOME LOANS SERVICING, LP, Appellee**

**On Appeal from the County Court at Law No. 3
Dallas County, Texas
Trial Court Cause No. CC-12-02794-C**

MEMORANDUM OPINION

Before Justices O'Neill, Myers, and Brown
Opinion by Justice Myers

In an order dated October 1, 2013, the Court informed appellant that his brief was past due and instructed him to file a brief on or before October 21, 2013. We cautioned appellant that his appeal would be dismissed without further notice if he failed to file a brief by that date.

As of today's date, appellant has not filed a brief. Accordingly, we dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b).

/Lana Myers/
LANA MYERS
JUSTICE

120824F.P05



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

JUDGMENT

DERWIN PACE, Appellant

No. 05-12-00824-CV V.

BANK OF AMERICA, N.A. AS
SUCCESSOR BY MERGER TO BAC
HOME LOANS SERVICING, LP, F/K/A
COUNTRYWIDE HOME LOANS
SERVICING, LP, Appellee

On Appeal from the County Court at Law
No. 3, Dallas County, Texas.

Trial Court Cause No. CC-12-02794-C.

Opinion delivered by Justice Myers.

Justices O'Neill and Brown, participating.

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

It is **ORDERED** that appellee, BANK OF AMERICA, N.A. AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, F/K/A COUNTRYWIDE HOME LOANS SERVICING, LP recover its costs of this appeal from appellant, DERWIN PACE.

Judgment entered this 4th day of December, 2013.

/Lana Myers/

LANA MYERS

JUSTICE