

DISMISS; and Opinion Filed October 29, 2013.



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

No. 05-12-01101-CV

**MICHAEL HILL, Appellant
V.
SHERMCO INDUSTRIES, Appellee**

**On Appeal from the 162nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-10-04535**

**MEMORANDUM OPINION
Before Justices Moseley, Lang, and Brown
Opinion by Justice Brown**

In an order dated September 13, 2013, the Court struck appellant's brief as deficient and instructed him to file an amended brief within thirty days of the date of the order. We cautioned appellant that failure to file an amended brief within the time requested would result in dismissal of his appeal without further notice.

As of today's date, appellant has not filed an amended brief. Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 38.8(a)(1) & 42.3(c).

/Ada Brown/
ADA BROWN
JUSTICE

121101F.P05



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

JUDGMENT

MICHAEL HILL, Appellant

No. 05-12-01101-CV V.

SHERMCO INDUSTRIES, Appellee

On Appeal from the 162nd Judicial District
Court, Dallas County, Texas.

Trial Court Cause No. DC-10-04535.

Opinion delivered by Justice Brown.

Justices Moseley and Lang, participating.

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

It is **ORDERED** that appellee, SHERMCO INDUSTRIES, recover its costs of this appeal from appellant, MICHAEL HILL.

Judgment entered this 29th day of October, 2013.

/Ada Brown/

ADA BROWN

JUSTICE