

DISMISS; Opinion issued May 6, 2013



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

No. 05-12-01231-CV

**MARIO A. ESPARZA, Appellant
V.
CITIMORTGAGE, INC., Appellee**

**On Appeal from the County Court at Law No. 1
Dallas County, Texas
Trial Court Cause No. CC-11-04997-A**

MEMORANDUM OPINION
Before Justices O'Neill, Francis, and Fillmore

The Court has before it appellee's April 19, 2013 motion to dismiss. On December 12, 2012, the Court notified appellant that the time to file his brief had expired, and, if he did not file a brief and an extension motion within ten days, the appeal would be dismissed. To date, appellant has not filed the brief and extension motion or otherwise communicated with the Court regarding this appeal.

Accordingly, we **GRANT** appellee's motion and **DISMISS** this appeal. *See* TEX. R. APP. P. 38.8(a)(1).

PER CURIAM

121231F.P05



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

JUDGMENT

MARIO A ESPARZA, Appellant

No. 05-12-01231-CV V.

CITIMORTGAGE, INC., Appellee

On Appeal from the County Court at Law
No. 1, Dallas County, Texas

Trial Court Cause No. CC-11-04997-A.

Opinion delivered per curiam. Justices
O'Neill, Francis, and Fillmore sitting for the
Court.

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

It is **ORDERED** that appellee CITIMORTGAGE, INC. recover its costs of this appeal from appellant MARIO A ESPARZA.

Judgment entered May 6, 2013.

/Molly Francis/

MOLLY FRANCIS

JUSTICE