

DISMISS; and Opinion Filed May 13, 2013.



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

No. 05-12-01436-CV

**HYACINTH ANYANYA, INDIVIDUALLY AND D/B/A
ALL SAINTS HOMECARE MEDICAL SUPPLY, Appellant**

V.

SHOPRIDER MOBILITY PRODUCTS, INC., Appellee

**On Appeal from the County Court at Law No. 3
Dallas County, Texas
Trial Court Cause No. CC-11-05000-C**

MEMORANDUM OPINION

**Before Justices FitzGerald, Murphy, and Lewis
Opinion by Justice Murphy**

Before the Court is appellee's May 3, 2013 motion to dismiss the appeal. Appellee contends the appeal should be dismissed because appellant has failed to file her brief.

By postcard notice dated March 5, 2013, the Court informed appellant that her brief was past due and instructed her to file her brief along with an extension motion within ten days. The Court cautioned appellant that failure to file her brief with an extension motion within the time specified would result in dismissal of the appeal.

As of today's date, appellant has not filed her brief. Accordingly, we grant appellee's motion and dismiss the appeal. *See* TEX. R. APP. P. 38.8(a)(1) & 42.3(b).

/Mary Murphy/
MARY MURPHY
JUSTICE



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

JUDGMENT

HYACINTH ANYANYA,
INDIVIDUALLY AND D/B/A
ALL SAINTS HOMECARE
MEDICAL SUPPLY, Appellant

No. 05-12-01436-CV V.

SHOPRIDER MOBILITY
PRODUCTS, INC., Appellee

On Appeal from the County Court at Law
No. 3, Dallas County, Texas.
Trial Court Cause No. CC-11-05000-C.
Opinion delivered by Justice Murphy.
Justices FitzGerald and Lewis, participating.

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

It is **ORDERED** that appellee, SHOPRIDER MOBILITY PRODUCTS, INC., recover its costs of this appeal from appellant, HYACINTH ANYANYA, INDIVIDUALLY AND D/B/A ALL SAINTS HOMECARE MEDICAL SUPPLY.

Judgment entered this 13th day of May, 2013.

/Mary Murphy/

MARY MURPHY
JUSTICE