

**Dismissed and Opinion Filed August 15, 2016**



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

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**No. 05-15-01247-CV**

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**ROGER AND EDNA PAYNE, Appellants  
V.  
GURLEY PLACE APARTMENTS, Appellee**

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**On Appeal from the County Court at Law No. 5  
Dallas County, Texas  
Trial Court Cause No. CC-15-04830-E**

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**MEMORANDUM OPINION**

Before Chief Justice Wright, Justice Lang-Miers, and Justice Stoddart  
Opinion by Chief Justice Wright

Appellants' brief in this case is overdue. By postcard dated May 17, 2016, we notified appellants the time for filing their brief had expired. We directed appellants to file both their brief and an extension motion within ten days. We cautioned appellants that failure to file their brief and an extension motion would result in the dismissal of this appeal without further notice. To date, appellants have not filed their brief, an extension motion, or otherwise corresponded with the Court regarding the status of their brief.

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

/ Carolyn Wright/  
CAROLYN WRIGHT  
CHIEF JUSTICE

151247F.P05



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

**JUDGMENT**

ROGER AND EDNA PAYNE, Appellants

No. 05-15-01247-CV      V.

GURLEY PLACE APARTMENTS,  
Appellee

On Appeal from the County Court at Law  
No. 5, Dallas County, Texas

Trial Court Cause No. CC-15-04830-E.

Opinion delivered by Chief Justice Wright.

Justices Lang-Miers and Stoddart  
participating.

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

It is **ORDERED** that appellee GURLEY PLACE APARTMENTS recover its costs of this appeal from appellants ROGER AND EDNA PAYNE.

Judgment entered August 15, 2016.