

Dismiss and Opinion Filed April 29, 2016.



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

No. 05-15-01288-CV

**ERICK C. THOMAS, Appellant
V.
BANK OF AMERICA, N.A., Appellee**

**On Appeal from the 14th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-00128**

MEMORANDUM OPINION

Before Justices Myers, Stoddart, and Whitehill
Opinion by Justice Myers

The filing fee, docketing statement, and appellant's brief in this case are past due. By postcard dated October 22, 2015, we notified appellant the \$205 filing fee was due. We directed appellant to remit the filing fee within ten days and expressly cautioned appellant that failure to do so would result in dismissal of the appeal. Also by postcard dated October 22, 2015, we notified appellant the docketing statement had not been filed in this case. We directed appellant to file the docketing statement within ten days. We expressly cautioned appellant that failure to do so might result in dismissal of the appeal. Additionally, appellant's brief in this case is overdue. By postcard dated February 10, 2016, we notified appellant the time for filing his brief had expired. We directed appellant to file both his brief and an extension motion within ten days. We expressly cautioned appellant that failure to file a brief and an extension motion would

result in the dismissal of this appeal without further notice. To date, appellant has not paid the filing fee, filed the docketing statement, filed his brief, requested an additional extension of time to file his brief, or otherwise corresponded with the Court regarding the status of this appeal.

Accordingly, we dismiss this appeal. *See* TEX. R. APP. P. 5; 38.8(a)(1); 42.3(b),(c).

/Lana Myers/
LANA MYERS
JUSTICE

151288F.P05



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

JUDGMENT

ERICK C. THOMAS, Appellant

No. 05-15-01288-CV V.

BANK OF AMERICA, N.A., Appellee

On Appeal from the 14th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DC-15-00128.

Opinion delivered by Justice Myers. Justices
Stoddart and Whitehill participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

We **ORDER** that appellee Bank of America, N.A. recover its costs, if any, of this appeal from appellant Erick C. Thomas.

Judgment entered this 29th day of April, 2016.