

**DISMISSED and Opinion Filed November 18, 2016**



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

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**No. 05-16-00131-CV**

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**GILBERTO PEREZ, Appellant  
V.  
IYK TEXAS CORP., Appellee**

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**On Appeal from the 162nd Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-14-11816**

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**MEMORANDUM OPINION**

Before Justices Lang, Myers, and Evans  
Opinion by Justice Myers

Before the Court is appellee's unopposed motion to dismiss the appeal. In the motion, appellee notes and our records reflect that appellant has not filed his brief despite our September 29, 2016 order directing him to file the brief within thirty days and warning him that failure to file the brief as ordered might result in dismissal of the appeal without further notice.

We **GRANT** appellee's motion. We **DISMISS** this appeal for want of prosecution. *See* TEX. R. APP. P. 38.8 (a)(1); 42.3(b), (c).

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/Lana Myers/  
LANA MYERS  
JUSTICE

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

**JUDGMENT**

GILBERTO PEREZ, Appellant

No. 05-16-00131-CV      V.

IYK TEXAS CORP., Appellee

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

Trial Court Cause No. DC-14-11816.

Opinion delivered by Justice Myers.

Justices Lang and Evans participating.

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

It is **ORDERED** that appellee IYK TEXAS CORP. recover its costs of this appeal from appellant GILBERTO PEREZ.

Judgment entered this 18th day of November, 2016.