

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



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

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**No. 05-16-01059-CV**

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**JEVON Y. LAU AND MACTRONIX, INC., Appellants**

**V.**

**CHARLES W. GAMEROS, JR., AS RECEIVER FOR JOHN J. LAU AND DEBORAH Y.  
LAU, Appellee**

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**On Appeal from the 199th Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 199-04975-2014**

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**MEMORANDUM OPINION**

**Before Justices Bridges, Lang-Miers, and Whitehill  
Opinion by Justice Bridges**

The clerk's record in this case is past due. By letter dated September 22, 2016, we notified appellants we had received notice from the district clerk that the clerk's record had not been filed because appellants had not paid or made arrangements to pay the clerk's fee. We instructed appellants to provide the Court with written verification that payment or payment arrangements had been made to the district clerk. We cautioned appellants that we would dismiss this appeal if we did not receive the written verification or documentation requested in our letter within ten days. On October 3, 2016, we were notified by the Collin County District Clerk that payment for the clerk's record had not been received. To date, we have not received the requested verification or documentation from appellants, and the clerk's record has not been filed.

On October 18, 2016, appellate counsel filed a motion to withdraw. The motion gave the last known addresses for the appellants and stated the clerk's and reporter's record were due October 21, 2016. Attached to the motion was a copy of the October 13, 2016 letter from counsel to appellants that informed appellants of the October 21, 2016 deadline for filing the records. By order dated October 20, 2016, we granted Curtis L. Marsh and the Law Firm of Curtis Marsh, PLLC's October 18, 2016 motion to withdraw as counsel for appellants and directed the Clerk of the Court to remove Mr. Marsh and his law firm as counsel for appellants. In the order, we noted that a corporation may only appear in this Court through an attorney; therefore, we ordered appellants to provide, within thirty days of the date of the order, the name, the State Bar number, mailing and email addresses, and telephone and fax numbers of new counsel. We cautioned appellants that failure to do so might result in the dismissal of Mactronix, Inc.'s appeal. The following day, this Court received a courtesy copy of the notification from Curtis L. Marsh and the Law Firm of Curtis Marsh, PLLC to appellants reminding them of the firm's withdrawal and of the pending deadlines, including the October 21, 2016 deadline for filing the clerk's record. To date, appellants have not informed the Court of new counsel nor have they had any communication with the Court.

Accordingly, we dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 37.3(b), 42.3 (b), (c).

/David L. Bridges/  
DAVID L. BRIDGES  
JUSTICE

161059F.P05



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

**JUDGMENT**

JEVON Y. LAU AND MACTRONIX,  
INC., Appellants

No. 05-16-01059-CV      V.

CHARLES W. GAMEROS, JR., AS  
RECEIVER FOR JOHN J. LAU AND  
DEBORAH Y. LAU, Appellee

On Appeal from the 199th Judicial District  
Court, Collin County, Texas  
Trial Court Cause No. 199-04975-2014.  
Opinion delivered by Justice Bridges,  
Justices Lang-Miers and Whitehill  
participating.

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

It is **ORDERED** that appellee CHARLES W. GAMEROS, JR., AS RECEIVER FOR JOHN J. LAU AND DEBORAH Y. LAU recover his costs of this appeal from appellants JEVON Y. LAU AND MACTRONIX, INC.

Judgment entered November 15, 2016.