

Dismissed and Opinion Filed January 30, 2018



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

No. 05-17-01029-CV

**AUSTIN LEETYNER, Appellant
V.
KERSTYN COLLEN RILEY, Appellee**

**On Appeal from the 292nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. CV17-00359-V**

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Evans, and Justice Brown
Opinion by Chief Justice Wright

Appellant's brief in this case is overdue. On December 1, 2017, we granted appellant's request to extend time to file his brief and ordered appellant's brief to be filed by December 31, 2017. By postcard dated January 3, 2018, we notified appellant the time for filing his brief had expired. We directed appellant to file a brief and an extension motion within ten days. We 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 filed a brief, filed a second extension motion, or otherwise corresponded with the Court regarding the status of this appeal.

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

/Carolyn Wright/

CAROLYN WRIGHT
CHIEF JUSTICE

171029F.P05



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

JUDGMENT

AUSTIN LEETYNER, Appellant

No. 05-17-01029-CV V.

KERSTYN COLLEN RILEY, Appellee

On Appeal from the 292nd Judicial District
Court, Dallas County, Texas

Trial Court Cause No. CV17-00359-V.

Opinion delivered by Chief Justice Wright.

Justices Evans and Brown participating.

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

It is **ORDERED** that appellee KERSTYN COLLEN RILEY recover her costs of this appeal from appellant AUSTIN LEETYNER.

Judgment entered January 30, 2018.