

**Dismissed and Opinion Filed January 5, 2018**



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

---

**No. 05-17-01133-CV**

---

**BRIGETTA HOMES, LLC D/B/A BEAUTIFUL HOMES BY BRIGETTA, Appellant  
V.  
ERHARD HERMUS, Appellee**

---

**On Appeal from the 68th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-16-14449**

---

**MEMORANDUM OPINION**

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

The docketing statement and clerk's record in this case are past due. By postcard dated September 28, 2017, we informed appellant the docketing statement in this case was due. We cautioned appellant that failure to file the docketing statement within ten days might result in the dismissal of this appeal without further notice. By letter dated December 6, 2017, we informed appellant the clerk's record had not been filed because appellant had not paid for the clerk's record. We directed appellant to provide, within ten days, written verification of payment or arrangements to pay for the clerk's record or written verification appellant had been found to be entitled to proceed without payment of costs. We cautioned appellant that failure to do so would result in the dismissal of this appeal without further notice. To date, appellant has not filed a

docketing statement, provided the required documentation regarding the clerk's record, or otherwise corresponded with the Court regarding the status of this appeal.

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

/Carolyn Wright/  
CAROLYN WRIGHT  
CHIEF JUSTICE

171133F.P05



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

**JUDGMENT**

BRIGETTA HOMES, LLC D/B/A  
BEAUTIFUL HOMES BY BRIGETTA,  
Appellant

No. 05-17-01133-CV      V.

ERHARD HERMUS, Appellee

On Appeal from the 68th Judicial District  
Court, Dallas County, Texas  
Trial Court Cause No. DC-16-14449.  
Opinion delivered by Chief Justice Wright.  
Justices Lang-Miers and Stoddart  
participating.

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

It is **ORDERED** that appellee Erhard Hermus recover his costs of this appeal from appellant Brigetta Homes, LLC D/B/A Beautiful Homes by Brigetta.

Judgment entered January 5, 2018.