

Dismissed; Opinion Filed May 24, 2018.



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

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No. 05-17-01337-CV

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**ROBERT TESSON, Appellant**  
V.  
**JASON ZUMBERGE, Appellee**

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**On Appeal from the County Court at Law No. 2**  
**Dallas County, Texas**  
**Trial Court Cause No. CC-17-04937-B**

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**MEMORANDUM OPINION**

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

Appellant's brief in this case is overdue. After appellant failed to respond to the Court's inquiry regarding the reporter's record, we ordered the appeal submitted without a reporter's record. By postcard dated April 25, 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 an 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).

/Lana Myers/  
LANA MYERS  
JUSTICE

171337F.P05



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

**JUDGMENT**

ROBERT TESSON, Appellant

No. 05-17-01337-CV      V.

JASON ZUMBERGE, Appellee

On Appeal from the County Court at Law

No. 2, Dallas County, Texas

Trial Court Cause No. CC-17-04937-B.

Opinion delivered by Justice Myers.

Justices Lang and Stoddart participating.

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

It is **ORDERED** that appellee JASON ZUMBERGE recover his costs of this appeal from appellant ROBERT TESSON.

Judgment entered this 24th day of May, 2018.