

Dismissed and Opinion Filed July 2, 2018



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

No. 05-17-01397-CV

**RICHARD J. BACON, Appellant
V.
NAVIENT SOLUTIONS, Appellee**

**On Appeal from the County Court at Law No. 5
Dallas County, Texas
Trial Court Cause No. CC-17-00603-E**

MEMORANDUM OPINION

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

Appellant's brief in this case is overdue.¹ By letter dated February 23, 2018, we notified appellant the brief received by the Court on February 6, 2018 was deficient. We noted the numerous ways in which appellant's brief did not comply with rule 38 of the Texas Rules of Appellate Procedure. Because neither the clerk's record nor the reporter's record had yet been filed, we also informed appellant that his amended brief complying with rule 38 was not due until thirty days after the record had been filed. To date, appellant has not filed an amended brief, filed an extension motion, nor otherwise corresponded with the Court regarding the status of this appeal.

¹ Appellant filed a docketing statement on February 6, 2018, indicating he had not requested a reporter's record. Therefore, the deadline for filing appellant's brief was thirty days after the clerk's record was filed.

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

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

171397F.P05



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

JUDGMENT

RICHARD J. BACON, Appellant

No. 05-17-01397-CV V.

NAVIENT SOLUTIONS, Appellee

On Appeal from the County Court at Law

No. 5, Dallas County, Texas

Trial Court Cause No. CC-17-00603-E.

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**.

Judgment entered July 2, 2018