

**DISMISS; and Opinion Filed November 20, 2018.**



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

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**No. 05-18-00104-CV**

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**RICHARD PRENDERGAST, Appellant  
V.  
FIVE TREES APARTMENTS, Appellee**

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**On Appeal from the County Court at Law No. 5  
Dallas County, Texas  
Trial Court Cause No. Cc-17-06295-E**

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**MEMORANDUM OPINION**

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

Appellant's brief in this case is overdue. On May 24, 2018, after appellant failed to respond to our inquiry regarding the reporter's record, we ordered this appeal submitted without a reporter's record and appellant's brief filed within thirty days. By postcard dated June 27, 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 him that failure to file a brief and extension motion would result in the dismissal of this appeal without further notice. To date, appellant has not filed a brief nor otherwise corresponded with the Court regarding the status of this appeal.

Accordingly, we **DISMISS** this appeal. *See* TEX. R. APP. P. 42.3(b), (c).

/Ada Brown/  
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ADA BROWN  
JUSTICE

180104F.P05



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

**JUDGMENT**

RICHARD PRENDERGAST, Appellant

No. 05-18-00104-CV      V.

FIVE TREES APARTMENTS, Appellee

On Appeal from the County Court at Law  
No. 5, Dallas County, Texas

Trial Court Cause No. Cc-17-06295-E.

Opinion delivered by Justice Brown. Chief  
Justice Wright and Justice Evans  
participating.

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

It is **ORDERED** that appellee FIVE TREES APARTMENTS recover its costs of this appeal from appellant RICHARD PRENDERGAST.

Judgment entered this 20th day of November, 2018.