

**DISMISS; and Opinion Filed November 30, 2018.**



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

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**No. 05-18-00218-CV**

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**JERRY MCCALL, Appellant  
V.  
CYPRESS HILL DR. 604 LAND TRUST, Appellee**

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**On Appeal from the 199th Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 199-04413-2015**

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**MEMORANDUM OPINION**

Before Justices Francis, Stoddart, and Schenck  
Opinion by Justice Schenck

Appellant's brief is overdue. On May 24, 2018, after appellant failed to respond to our inquiry regarding the reporter's record, we ordered the appeal submitted without a reporter's record and appellant's brief to be 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 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).

/David J. Schenck/  
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DAVID J. SCHENCK  
JUSTICE

180218F.P05



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

**JUDGMENT**

JERRY MCCALL, Appellant

No. 05-18-00218-CV      V.

CYPRESS HILL DR. 604 LAND TRUST,  
Appellee

On Appeal from the 199th Judicial District  
Court, Collin County, Texas

Trial Court Cause No. 199-04413-2015.

Opinion delivered by Justice Schenck.

Justices Francis and Stoddart participating.

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

It is **ORDERED** that appellee CYPRESS HILL DR. 604 LAND TRUST recover its costs of this appeal from appellant JERRY MCCALL.

Judgment entered this 30th day of November, 2018.