

Dismissed; Opinion Filed October 1, 2019



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

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No. 05-19-00351-CV

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**MELINDA LEHYE AND ALL OCCUPANTS, Appellant**  
**V.**  
**CITIMORTGAGE, INC., Appellee**

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**On Appeal from the County Court at Law No. 4**  
**Dallas County, Texas**  
**Trial Court Cause No. CC-18-06692-D**

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**MEMORANDUM OPINION**

Before Justices Myers, Osborne, and Nowell  
Opinion by Justice Nowell

On September 12, 2019, we notified appellant her brief was overdue and directed her to file, within ten days, both the brief and an extension motion in compliance with Texas Rule of Appellate Procedure 10.5(b). Although we cautioned appellant that failure to file the brief and motion as directed would result in the appeal being dismissed, the brief has not been filed. *See* TEX. R. APP. P. 38.8(a)(1). Accordingly, we dismiss the appeal. *See id.* 38.8(a)(1), 42.3(b),(c).

/Erin A. Nowell/  

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ERIN A. NOWELL  
JUSTICE

190351F.P05



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

**JUDGMENT**

MELINDA LEHYE AND ALL  
OCCUPANTS, Appellant

No. 05-19-00351-CV      V.

CITIMORTGAGE, INC., Appellee

On Appeal from the County Court at Law  
No. 4, Dallas County, Texas  
Trial Court Cause No. CC-18-06692-D.  
Opinion delivered by Justice Nowell,  
Justices Myers and Osborne participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

We **ORDER** that appellee CitiMortgage, Inc. recover its costs, if any, of this appeal from appellant Melinda Lehye and All Occupants.

Judgment entered this 1<sup>st</sup> day of October, 2019.