

Dismiss; Opinion Filed December 20, 2019



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-19-01021-CV

BRIAN E. VODICKA, Appellant
V.
**MICHAEL B. TOBOLOWSKY, EXECUTOR OF THE ESTATE OF IRA E.
TOBOLOWSKY, Appellee**

On Appeal from the 14th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-08135

MEMORANDUM OPINION

Before Justices Myers, Schenck, and Carlyle
Opinion by Justice Myers

This appeal challenges two orders concerning post-judgment discovery. By letter dated November 20, 2019, we questioned our jurisdiction over the appeal as the orders did not appear to be appealable. *See Bielamowicz v. Cedar Hill Indep. Sch. Dist.*, 136 S.W.3d 718, 723 (Tex. App.—Dallas 2004, pet. denied) (“Mandamus is appropriate to obtain judicial review of a trial court’s post-judgment discovery order.”). We directed appellant to file, no later than December 2, 2019, a letter brief addressing our concern and cautioned that failure to do so would result in dismissal of the appeal without further notice. *See* TEX. R. APP. P. 42.3(a),(c). To date, however, appellant has not complied or otherwise corresponded with the Court. Accordingly, we dismiss the appeal. *See id.* 42.3(a),(c).

/Lana Myers/
LANA MYERS
JUSTICE

191021F.P05



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

JUDGMENT

BRIAN E. VODICKA, Appellant

No. 05-19-01021-CV V.

MICHAEL B. TOBOLOWSKY,
EXECUTOR OF THE ESTATE OF IRA E.
TOBOLOWSKY, Appellee

On Appeal from the 14th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DC-15-08135.
Opinion delivered by Justice Myers,
Justices Schenck and Carlyle participating.

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

Judgment entered this 20th day of December, 2019.