

Dismiss and Opinion Filed September 2, 2020



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

---

No. 05-20-00245-CV

---

**MONICA GAREY, Appellant**  
V.  
**DAVID WAYNE SMITH, Appellee**

---

**On Appeal from County Court at Law No. 3**  
**Dallas County, Texas**  
**Trial Court Cause No. CC-19-06617-C**

---

**MEMORANDUM OPINION**

Before Justices Molberg, Carlyle, and Browning  
Opinion by Justice Carlyle

On September 2, 2020, after appellant had failed to file her brief by the deadline set in this Court's July 31, 2020 order, we directed appellant to file her brief within ten days. Although we cautioned appellant that failure to comply would result in dismissal of the appeal, *see* TEX. R. APP. P. 38.8(a)(1), she has not complied or otherwise communicated with the Court. Accordingly, we dismiss the appeal. *See id.* 38.8(a)(1), 42.3(b),(c).

/Cory L. Carlyle/  

---

CORY L. CARLYLE  
JUSTICE

200245F.P05



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

**JUDGMENT**

MONICA GAREY, Appellant

No. 05-20-00245-CV      V.

DAVID WAYNE SMITH, Appellee

On Appeal from County Court at  
Law No. 3, Dallas County, Texas  
Trial Court Cause No. CC-19-06617-  
C.

Opinion delivered by Justice Carlyle,  
Justices Molberg and Browning  
participating.

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

Judgment entered this 2<sup>nd</sup> day of October 2020.