

**DISMISS and Opinion Filed July 26, 2021**



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

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**No. 05-21-00292-CV**

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**MAXX SPORTS TECHNOLOGIES, LTD., Appellant  
V.  
SPORTS IN ACTION, LLC D/B/A HIGH FIELD MARKETING, LLC,  
Appellee**

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**On Appeal from the 129th District Court  
Harris County, Texas  
Trial Court Cause No. 2019-40112**

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**MEMORANDUM OPINION**

Before Justices Molberg, Goldstein, and Smith  
Opinion by Justice Smith

The filing fee and appellant's brief in this case are overdue. By postcard dated July 12, 2021, we notified appellant for the second time that the \$205 filing fee was due. We directed appellant to remit the filing fee within ten days and expressly cautioned appellant that failure to do so would result in dismissal of the appeal. By postcard dated June 16, 2021, we notified appellant the time for filing its brief had

expired.<sup>1</sup> We directed appellant to file a brief and an extension motion within ten days. We cautioned appellant that failure to file its brief by that time might result in the dismissal of this appeal without further notice. To date, appellant has not paid the filing fee, filed a brief, filed an extension motion, nor 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).

/Craig Smith/  
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CRAIG SMITH  
JUSTICE

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<sup>1</sup> The court reporter notified the Court there is no reporter's record for this case, and the clerk's record does not show a hearing was conducted in this case.



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

**JUDGMENT**

MAXX SPORTS TECHNOLOGIES,  
LTD., Appellant

No. 05-21-00292-CV      V.

SPORTS IN ACTION, LLC D/B/A  
HIGH FIELD MARKETING, LLC,  
Appellee

On Appeal from the 129th District  
Court, Harris County, Texas  
Trial Court Cause No. 2019-40112.  
Opinion delivered by Justice Smith.  
Justices Molberg and Goldstein  
participating.

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

Judgment entered July 26, 2021