

Opinion issued October 7, 2010.



In The
Court of Appeals
For The
First District of Texas

NO. 01-09-00511-CV

WILLIAM EARL CUNNINGHAM, Appellant

V.

**GERALD A. CAMPBELL, M.D., SENIOR OPHTHALMOLOGIST,
Appellee**

**On Appeal from the 10th District Court
Galveston County, Texas
Trial Court Case No. 07CV0836**

MEMORANDUM OPINION

Appellant William Earl Cunningham has failed to provide the Court with a current address or timely file a brief. *See* TEX. R. APP. P. 6.3, 38.8(a). On May 25, 2010, the clerk of this Court notified Cunningham, by certified and first class mail

at his last known address, of his failure to comply with the briefing schedule and required him to provide his current address within ten (10) days of the date of that notice or risk involuntary dismissal of his appeal without further notice.

Appellant did not respond to that notice. *See* TEX. R. APP. P. 42.3(b) (allowing involuntary dismissal of case). The appeal is dismissed for want of prosecution for failure to timely file a brief.

PER CURIAM

Panel consists of Justices Keyes, Higley, and Bland.