

Opinion issued December 13, 2012



In The
Court of Appeals
For The
First District of Texas

NO. 01-11-00834-CV

**RAFAEL GURRUSQUEITA VEGA D/B/A RESTAURANTE Y TAQUERIA
ALTAMIRANO, Appellant**

V.

**HARRIS COUNTY, ON BEHALF OF ITSELF AND THE HARRIS
COUNTY DEPARTMENT OF EDUCATION, THE PORT OF HOUSTON
AUTHORITY OF HARRIS COUNTY, THE HARRIS COUNTY FLOOD
CONTROL DISTRICT, AND THE HARRIS COUNTY HOSPITAL
DISTRICT; CITY OF HOUSTON; HOUSTON INDEPENDENT SCHOOL
DISTRICT; AND HOUSTON COMMUNITY COLLEGE SYSTEM,
Appellees**

**On Appeal from the 270th District Court
Harris County, Texas
Trial Court Cause No. 2010-59315**

MEMORANDUM OPINION

Appellant, Rafael Gurrusqueita Vega d/b/a Restaurante y Taqueria Altamirano, perfected an appeal from the trial court's judgment entered on August 30, 2011. On July 26, 2012, the court reporter informed this Court that no reporter's record exists in this case. The trial court clerk filed the clerk's record on August 14, 2012. On August 30, 2012, the Clerk of this Court notified appellant, at his address in the George J. Beto Facility, Texas Department of Criminal Justice, Tennessee Colony, Texas, that, because no reporter's record exists, his brief was due on October 1, 2012. *See* TEX. R. APP. P. 38.6(a). The Court's letter was returned, and the Court was informed that appellant had been discharged and had left no forwarding address.

On October 22, 2012, after appellant failed to timely file a brief, the Clerk of this Court notified appellant that he had failed to timely file a brief and that failure to file a brief and motion for extension by November 12, 2012 could lead to dismissal of this appeal. *See* TEX. R. APP. P. 38.8(a), 42.3(b). This letter was also returned, because appellant had been discharged and left no forwarding address.

Accordingly, because appellant has neither filed a brief nor responded to the Court's notice, and appellant has not provided us with any other address or means of contacting him, we dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a); 42.3(b). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Jennings, Higley, and Sharp.