

Opinion issued December 4, 2018



In The
Court of Appeals
For The
First District of Texas

NO. 01-18-00703-CV

WALTER VARELA, Appellant

V.

THE BANK OF NEW YORK MELLON, Appellee

**On Appeal from the County Civil Court at Law No. 4
Harris County, Texas
Trial Court Cause No. 1110896**

MEMORANDUM OPINION

Appellant, Walter Varela, has failed to timely file his appellant's brief. *See* TEX. R. APP. P. 38.6(a)(1), (d), 38.8(a)(1). On November 6, 2018, the Clerk of this Court notified appellant that his deadline to file his appellant's brief had expired and that his appeal was subject to dismissal for want of prosecution if he failed to timely

file his appellant's brief or an extension within 10 days of the date of that notice. *See* TEX. R. APP. P. 38.6(d), 38.8(a)(1), 42.3(b). Appellant failed to timely file a brief or request an extension. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(c).

Accordingly, we dismiss the appeal for want of prosecution for failure to timely file an appellant's brief. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).

PER CURIAM

Panel consists of Justices Higley, Lloyd, and Caughey.