

Opinion issued December 15, 2020



In The  
**Court of Appeals**  
For The  
**First District of Texas**

---

NO. 01-20-00416-CV

---

**HOLLY D. RUTHVEN, Appellant**

**V.**

**DICKINSON INDEPENDENT SCHOOL DISTRICT, GALVESTON  
COUNTY, COLLEGE OF THE MAINLAND, BACLIFF MUD, AND  
GALVESTON COUNTY ROAD AND FLOOD, Appellees**

---

---

**On Appeal from the 10th District Court  
Galveston County, Texas  
Trial Court Case No. 15-TX-0330**

---

---

**MEMORANDUM OPINION**

Appellant, Holly D. Ruthven, has failed to timely file a brief. *See* TEX. R. APP. P. 38.6(a) (governing time to file brief). Appellant filed her notice of appeal on May 18, 2020. The clerk's record was filed with the Court on June 17, 2020, and

no reporter's record was taken. As a result, appellant's brief was due on July 17, 2020. *See* TEX. R. APP. P. 38.6. However, no brief was filed.

On July 21, 2020, appellant was notified by the Court that her appeal was subject to dismissal if she did not file her brief or a motion to extend time to file a brief within ten days. *See* TEX. R. APP. P. 38.8(a) (governing failure of appellant to file brief), 42.3(b) (allowing involuntary dismissal of appeal for want of prosecution), 42.3(c) (allowing involuntary dismissal of case for failure to comply with order of this Court). On August 5, 2020, appellant filed a motion to extend time to file her brief, which was granted by the Court, extending the deadline to September 30, 2020.

Appellant failed to timely file her brief by the extended deadline. On October 5, 2020, appellant was again notified by the Court that her appeal was subject to dismissal if she did not file her brief or a motion to extend time to file a brief within ten days. *See* TEX. R. APP. P. 38.8(a), 42.3(b), 42.3(c). Despite the Court's latest notice that this appeal was subject to dismissal, after more than two months, appellant has not adequately responded.

Accordingly, we dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 42.3(b), (c), 43.2(f). All pending motions are dismissed as moot.

**PER CURIAM**

Panel consists of Justices Goodman, Landau, and Adams.