

Dismissed and Memorandum Opinion filed January 7, 2010.



In The

Fourteenth Court of Appeals

NO. 14-09-00304-CV

JANETTE M. ALBA and FABIAN O. ALBA, Appellants

V.

PASSAGE REALTY, INC., Appellee

**On Appeal from the 152nd District Court
Harris County, Texas
Trial Court Cause No. 2008-06493**

MEMORANDUM OPINION

This is an appeal from a judgment signed February 27, 2009. On May 7, 2009, this court ordered the parties to mediation. Pursuant to our order, mediation was to be completed by July 6, 2009. The parties failed to advise the court that mediation had been completed in compliance with our order. On August 13, 2009, the court ordered the parties to conduct the previously ordered mediation on or before September 14, 2009. Appellants did not comply with our order. After notice that the appeal was subject to dismissal for failure to comply with the court's mediation order, appellants requested additional time to

complete mediation, which was granted. The mediator advised this court that mediation was scheduled for November 24, 2009, but was cancelled.

On December 9, 2009, the court again advised appellant that the appeal would be dismissed for failure to comply with the court's mediation orders unless a response showing meritorious grounds for continuing the appeal was filed by December 21, 2009. *See* Tex. R. App. P. 42.3(c). No response was filed.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Anderson and Christopher.