

Dismissed and Memorandum Opinion filed November 3, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00478-CV

KIRK FORD, Appellant

V.

EG SYSTEMS, INC. d/b/a SCOTTS LAWN SERVICE, Appellee

**On Appeal from the 270th District Court
Harris County, Texas
Trial Court Cause No. 2009-41307**

MEMORANDUM OPINION

This is an appeal from an order granting defendant's motion for summary judgment signed March 2, 2011. The clerk's record was filed August 8, 2011. Appellant's brief was due September 7, 2011. Appellant did not file a brief or a motion for an extension of time to file his brief.

On September 29, 2011, this court issued an order stating that unless appellant filed a brief, and a motion reasonably explaining why the brief was late, on or before October 24,

2011, the court would dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 42.3(b). Appellant did not file a brief or any response to our order.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Brown, Boyce, and McCally.