

Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-09-00523-CV

IN THE INTEREST OF A.F., et al.

From the 285th Judicial District Court, Bexar County, Texas
Trial Court No. 2006-PA-02571
Honorable Charles E. Montemayor, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Justice
Phylis J. Speedlin, Justice
Rebecca Simmons, Justice

Delivered and Filed: February 17, 2010

DISMISSED FOR WANT OF PROSECUTION

Appellant's brief was originally due on September 21, 2009. On October 8, 2009, this court informed appellant, who is pro se, that the brief was late and asked appellant to provide a reasonable explanation for the delay no later than October 19, 2009. Neither the brief nor a response was filed. On November 3, 2009, this court ordered appellant to file his brief no later than November 20, 2009. No response was filed. Accordingly, on December 8, 2009, appellant was ordered to file his brief no later than December 21, 2009. Our order also informed appellant that if the brief was not filed by December 21, 2009 this appeal would be subject to dismissal for want of prosecution. *See* TEX. R. APP. P. 38.8(a). Neither the brief nor a motion for extension of time has been filed. Accordingly, on January 7, 2010, this court ordered appellant to show cause in writing, no later than January 18,

2010, why this appeal should not be dismissed for want of prosecution. *See* TEX. R. APP. P. 38.8(a). Appellant did not respond. The appeal is dismissed for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b). Costs of appeal are taxed against appellant.

PER CURIAM