

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



**MEMORANDUM OPINION**

No. 04-11-00022-CV

Anthony S. **JASPER**, Jr.,  
Appellant

v.

Joseph Mick **AGUILERA**,  
Appellee

From the 225th Judicial District Court, Bexar County, Texas  
Trial Court No. 2007-CI-09052  
Honorable Larry Noll, Judge Presiding

PER CURIAM

Sitting: Karen Angelini, Justice  
Santee Bryan Marion, Justice  
Phylis J. Speedlin, Justice

Delivered and Filed: October 19, 2011

DISMISSED

On June 9, 2011, appellant filed a brief that did not comply with Texas Rule of Appellate Procedure 38.1 in that it failed to include (1) a statement of facts; (2) a summary of the argument; and (3) argument. *See* TEX. R. APP. P. 38.1(g), (h), (i). On July 26, 2011, we issued an order advising appellant of the formal defects in his brief and ordered him to file an amended brief by August 10, 2011. We warned that if any such amended brief failed to correct the violations, we would strike the brief and prohibit appellant from filing another. *See id.* 38.9(a).

Appellant did not respond to our order by filing an amended brief, but instead filed a motion for extension of time to file an amended brief. We granted the motion to the extent that we ordered appellant to file, on or before September 16, 2011, an amended brief that corrected the previously noted violations and complied with Texas Rule of Appellate Procedure 38.1. Further, we warned appellant that if he failed to file an amended brief that complied with Rule 38.1 on or before September 16, 2011, this appeal would be dismissed pursuant to Texas Rule of Appellate Procedure 42.3(c). Appellant has not filed an amended brief or otherwise responded to our order. We, therefore, dismiss this appeal.

PER CURIAM