



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

**MEMORANDUM OPINION**

No. 04-12-00072-CV

**COUNTY OF BEXAR,**  
Appellant

v.

**STATE NATIONAL INSURANCE COMPANY** and Star Insurance Company,  
Appellees

From the 57th Judicial District Court, Bexar County, Texas  
Trial Court No. 2009-CI-20472  
Honorable Solomon Casseb, III, Judge Presiding

Opinion by: Phylis J. Speedlin, Justice

Sitting: Phylis J. Speedlin, Justice  
Rebecca Simmons, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: November 21, 2012

**DISMISSED FOR WANT OF PROSECUTION**

Appellant filed the notice of appeal on February 2, 2012. After the appellate record was filed, we abated the appeal until May 10, 2012 so that the parties could mediate. The abatement was then extended to July 18, 2012. Thereafter, the court was advised that mediation was not successful. We then ordered appellant to file a motion to dismiss the appeal, or we would reinstate the appeal on the court's docket and appellant's brief would be due thirty days after the date of the order reinstating the appeal. On September 12, 2012, we reinstated the appeal on the court's docket, and order appellant to file the appellant's brief on or before October 11, 2012.

The brief was not filed. Therefore, on October 22, 2012, we ordered appellant to show cause in writing by November 6, 2012 why the appeal should not be dismissed for want of prosecution. *See* TEX. R. APP. P. 38.8(a). To date, appellant has not filed a brief or the written response ordered by the court.

We therefore order this appeal dismissed for want of prosecution. *See id.*; *see also* TEX. R. APP. P. 42.3(c) (court may dismiss appeal because appellant has failed to comply with a court order within the time provided).

Phylis J. Speedlin, Justice