



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-18-00808-CV

Rodolfo J. **MENDEZ**,
Appellant

v.

Jessica **AGUIRRE**,
Appellee

From the 438th Judicial District Court, Bexar County, Texas
Trial Court No. 2011CI00963
Honorable Angelica Jimenez, Judge Presiding

PER CURIAM

Sitting: Irene Rios, Justice
Beth Watkins, Justice
Liza A. Rodriguez, Justice

Delivered and Filed: October 2, 2019

DISMISSED FOR WANT OF PROSECUTION

Appellant's brief was due on August 22, 2019. Appellant failed to file his brief or a motion for extension of time. On September 3, 2019, we issued an order informing appellant that his brief was overdue and directing him to file, on or before September 13, 2019, his brief and a written response reasonably explaining why appellee was not significantly injured by appellant's failure to timely file his brief. We advised appellant that if he failed to file his brief and the written response by the date ordered, we would dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1) (allowing appellate courts to dismiss an appeal for want of prosecution when an

appellant fails to timely file a brief); *see also* TEX. R. APP. P. 42.3(c) (allowing appellate courts to dismiss an appeal when an appellant fails to comply with a court order). Appellant has not filed his brief or otherwise responded to our September 3, 2019 order. Therefore, this appeal is dismissed for want of prosecution.

PER CURIAM