



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-19-00020-CV

Robert M. **STONE**, Raymond S. DeLeon, and John Salas,
Appellants

v.

THE CARLSON LAW FIRM,
Appellee

From the 407th Judicial District Court, Bexar County, Texas
Trial Court No. 2015-CI-16271
Honorable Karen H. Pozza, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: March 27, 2019

DISMISSED FOR WANT OF PROSECUTION

Appellants' brief was originally due to be filed by February 19, 2019. This court granted appellants' first request for extension of time to file the brief until February 22, 2019. On February 22, 2019, rather than file the brief, appellants filed a motion to abate this appeal based on a partial settlement reached in the trial court. Because the motion did not comply with Texas Rule of Appellate Procedure 10.1(a)(5), this court denied the motion.

On March 6, 2019, because appellants had not filed the brief or a motion for extension of time to file the brief, this court ordered appellants to file by March 18, 2019 the brief and a written

response reasonably explaining: (1) their failure to timely file a brief, and (2) why appellee is not significantly injured by appellants' failure to timely file a brief. We advised appellants that if they failed to timely file a brief and the written response, we would dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a); *see also* TEX. R. APP. P. 42.3(c) (allowing involuntary dismissal if appellant fails to comply with court order). Appellants did not file a brief or a written response complying with the March 6 order.

Accordingly, we dismiss this appeal for want of prosecution.

PER CURIAM