

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00267-CV

EMILY FUNES, Appellant

V.

ANTONIO DIAZ AND AMERITEX MACHINE AND FAB, LLC, Appellee

On Appeal from the 284th District Court
Montgomery County, Texas
Trial Cause No. 14-08-09417-CV

MEMORANDUM OPINION

The trial court signed a final judgment on May 10, 2016. Emily Funes filed a notice of appeal but failed to file a brief. On January 6, 2017, we notified the parties that the brief had not been filed and warned the appellant that her failure to file a brief could result in a dismissal of the appeal for want of prosecution. On January 23, 2017, we notified the parties that the appeal would be submitted to the Court on February 13, 2017, without briefs and without oral argument. *See* Tex. R. App. P. 39.8.

In the absence of a brief assigning error for appellate review, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 38.8(a)(1); Tex. R. App. P. 42.3(b).

APPEAL DISMISSED.

CHARLES KREGER
Justice

Submitted on February 13, 2017
Opinion Delivered February 16, 2017

Before Kreger, Horton, and Johnson, JJ.