

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-22-00362-CV

TIMOTHY ABBOTT, Appellant

V.

TIMBERS EDGE APARTMENTS, Appellee

On Appeal from the County Court at Law No. 1
Jefferson County, Texas
Trial Cause No. 138,114

MEMORANDUM OPINION

On November 3, 2022, Timothy Abbott appealed from a final judgment in Trial Cause Number 138,114. After perfecting his appeal, however, Abbott failed to file a brief.

On March 28, 2023, we notified the parties that Abbott had not filed a brief and that his appeal would be submitted without briefs unless, by April 10, 2023, we received a brief in his appeal together with a motion to extend the time he was

allowed to file his brief. We also warned Abbott that his appeal could be dismissed for want of prosecution if the appeal was submitted without briefs.

On April 21, 2023, we notified the parties that the appeal would be submitted without briefs and without oral argument on May 12, 2023. *See* Tex. R. App. P. 39.8. In the absence of a brief assigning error for our review, we dismiss Abbott’s appeal for want of prosecution. *See id.* 38.8(a)(1); *id.* 42.3(b), 43.2(f).

APPEAL DISMISSED.

PER CURIAM

Submitted on May 12, 2023
Opinion Delivered May 18, 2023

Before Horton, Johnson and Wright, JJ.