

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-23-00190-CV

LEE PEVOTEAUX, Appellant

V.

DAVID NACKE, Appellee

On Appeal from the County Court at Law No. 6
Montgomery County, Texas
Trial Cause No. 23-33202

MEMORANDUM OPINION

In June 2023, Lee Pevoteaux filed a notice appealing from the final judgment in Trial Cause Number 23-33202. But after perfecting his appeal, Pevoteaux failed to file a brief.

In October 2023, the Clerk of the Ninth Court of Appeals notified the parties that Pevoteaux had not filed a brief and advised the parties that his appeal would be submitted without briefs unless the Court received Pevoteaux's brief by November 2, 2023, and a motion to extend the deadline for filing the brief. We also warned

Pevoteaux that his appeal could be dismissed for want of prosecution if the Court submitted his appeal without briefs.

On November 15, 2023, the Clerk notified the parties that on December 6, 2023, the Court had submitted the appeal without briefs and without oral argument. *See* Tex. R. App. P. 39.8. Since no brief has been filed in the appeal assigning any error to a ruling of the trial court, we dismiss Pevoteaux'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 December 6, 2023
Opinion Delivered December 7, 2023

Before Golemon, C.J., Horton and Wright, JJ.