

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-23-00325-CV**

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**SCOTT BIONDO, Appellant**

**V.**

**HIGH MEADOW RANCH COMMUNITY ASSOCIATION INC., Appellee**

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**On Appeal from the 457th District Court  
Montgomery County, Texas  
Trial Cause No. 23-05-06617-CV**

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**MEMORANDUM OPINION**

On July 5, 2023, Scott Biondo filed a notice to appeal a final judgment in Trial Cause Number 23-05-06617-CV. But after perfecting his appeal, Biondo failed to file a brief.

On January 30, 2024, the Clerk of the Ninth Court of Appeals notified the parties that Biondo had not filed a brief and advised the parties that his appeal would be submitted without briefs unless by February 9, 2024, the Court received Biondo's brief and a motion to extend the deadline in which he had to file his brief. We also

warned Biondo that if the Court submitted his appeal without briefs that the Court could dismiss his appeal for want of prosecution.

On February 21, 2024, the Clerk notified the parties that on March 13, 2024, the appeal would be submitted to the Court without briefs and without oral argument. *See* Tex. R. App. P. 39.8. Since Biondo hasn't filed a brief in his appeal assigning any error to any of the trial court's rulings, we dismiss Biondo'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 March 13, 2024  
Opinion Delivered March 28, 2024

Before Horton, Johnson and Wright, JJ.