



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-11-00233-CV

RODOLFO MEDINA

APPELLANT

V.

SCHLUMBERGER TECHNOLOGY
CORPORATION AND TYLER
SMITH

APPELLEES

FROM THE 431ST DISTRICT COURT OF DENTON COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

Appellant Rodolfo Medina filed a notice of appeal after the trial court granted summary judgment in favor of Appellees Schlumberger Technology Corp. and Tyler Smith. We received Appellant's initial brief on October 21, 2011, and notified Appellant by letter the same date that his brief did not comply with rule of appellate procedure 9.4(h), rule of appellate procedure 38.1(a) through

¹See Tex. R. App. P. 47.4.

(k), or local rule 1.A. We directed Appellant to file an amended brief within ten days.

We received Appellant's amended brief on October 31, 2011, and we notified Appellant on November 2, 2011, that his first amended brief still did not comply with rules of appellate procedure 9.4(h) or 38.1(d), (f), (g), and (i). See Tex. R. App. P. 9.4(h), 38.1. We stated that failure to file a second amended brief in compliance with rules 9.4 and 38.1 could result in striking the brief and amended brief, waiver of non-complying points, or dismissal of the appeal. See Tex. R. App. P. 38.8(a), 38.9(a), 42.3.

We received Appellant's second amended brief on November 14, 2011. Because Appellant's second amended brief does not conform to Texas Rule of Appellate Procedure 38.1(d), (g), and (i), we dismiss the appeal. See Tex. R. App. P. 42.3(c), 43.2(f).

Appellant shall pay all costs of this appeal, for which let execution issue.

PER CURIAM

PANEL: GARDNER, WALKER, and MCCOY, JJ.

DELIVERED: December 8, 2011