



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

NO. 02-16-00423-CV

JIMMY DON PURSELLEY

APPELLANT

V.

MANSFIELD METAL & RUBBER

APPELLEE

FROM THE 348TH DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NO. 348-272946-14

MEMORANDUM OPINION¹ AND JUDGMENT

On July 25, 2017, we notified appellant that his brief had not been filed as required by Texas Rule of Appellate Procedure 38.6(a). See Tex. R. App. P. 38.6(a). We stated we could dismiss the appeal for want of prosecution unless appellant or any party desiring to continue this appeal filed with the court within ten days a response showing grounds for continuing the appeal. See Tex. R. App. P. 42.3.

¹See Tex. R. App. P. 47.4.

On May 22, 2017, we received a letter from Appellant's attorney explaining that his email account had been compromised and a motion for an extension of time in which to file his brief. We granted Appellant's motion and Appellant's brief was ordered due Thursday, July 6, 2017. Appellant has not filed a brief.

Because appellant's brief has not been filed, we dismiss the appeal for want of prosecution. See Tex. R. App. P. 38.8(a), 42.3(b), 43.2(f).

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

PER CURIAM

PANEL: SUDDERTH, KERR, and PITTMAN, JJ.

DELIVERED: August 17, 2017