



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

NO. 02-17-00378-CV

RICK SMELTZER D/B/A DENTON
AUTO GLASS SERVICE

APPELLANT

V.

DENTON AUTO GLASS, LLC

APPELLEE

FROM COUNTY COURT AT LAW NO. 2 OF DENTON COUNTY
TRIAL COURT NO. CV-2017-02346

MEMORANDUM OPINION¹ AND JUDGMENT

On December 1, 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 that we could dismiss the appeal for want of prosecution unless appellant filed with the court within ten days an appellant's brief and a motion reasonably explaining the failure to file an appellant's brief and

¹See Tex. R. App. P. 47.4.

the need for an extension. See Tex. R. App. P. 10.5(b), 38.8(a)(1), 42.3(b). We have not received any response.

Because appellant has failed to file a brief after having been given an opportunity to provide a reasonable explanation for the failure, we dismiss this appeal for want of prosecution. See Tex. R. App. P. 38.8(a)(1), 42.3(b), 43.2(f).

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

PER CURIAM

PANEL: PITTMAN, J.; SUDDERTH, C.J.; and BIRDWELL, J.

DELIVERED: December 21, 2017