



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

NO. 02-18-00011-CV

VICKI PRUITT JOHNSON

APPELLANT

V.

JOHN GILMER JOHNSON, JOEL
DAVID JOHNSON, JUDY FOWLER,
ROSS GRIFFITH, CARY
SCHROEDER, JAMES HOLLIDAY,
DYANN MCCULLY, JOHN DOWDY,
AND WILLIAM RIDGEWAY

APPELLEES

FROM THE 96TH DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NO. 096-288873-16

MEMORANDUM OPINION¹ AND JUDGMENT

On April 18, 2018, we notified appellant that her 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

¹See Tex. R. App. P. 47.4.

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 the need for an extension. See Tex. R. App. P. 10.5(b), 38.8(a)(1), 42.3(b). We did not receive an appellant's brief or motion from appellant within ten days of April 18, 2018.

Instead, appellant filed an untimely "Motion to Extend Time for Filing Brief" on May 15, 2018. That untimely motion is **DENIED**.

Because appellant has failed to file a brief after having been given an opportunity to provide a reasonable explanation for the failure, we dismiss the 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: June 28, 2018