



**In the  
Court of Appeals  
Second Appellate District of Texas  
at Fort Worth**

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No. 02-19-00065-CV

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VICTOR DUNN, Appellant

v.

THE LANDING AT LITTLE ELM, Appellee

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On Appeal from County Court at Law No. 2  
Denton County, Texas  
Trial Court No. CV-2019-00043-JP

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Before Bassel, J.; Sudderth, C.J.; and Womack, J.  
Per Curiam Memorandum Opinion

## MEMORANDUM OPINION AND JUDGMENT

Appellant's brief was originally due on April 18, 2019. On that date, we received the "(Temporary) Brief of Appellant," which contained none of the requisites listed in Texas Rule of Appellate Procedure 38.1.

On April 23, 2019, we notified Appellant that his brief had not been filed as the appellate rules require. *See* Tex. R. App. P. 38.6(a). We stated that we could dismiss the appeal for want of prosecution unless, within ten days, Appellant filed with the court an appellant's brief and an accompanying motion reasonably explaining the brief's untimely filing and why an extension was needed. *See* Tex. R. App. P. 10.5(b), 38.8(a)(1), 42.3(b). On May 10, 2019, Appellant filed a late response that was a duplicate of his first temporary brief.

Because Appellant has failed to file a compliant brief even after we afforded an opportunity to explain the initial failure, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 38.8(a)(1), 42.3(b), 43.2(f).

Per Curiam

Delivered: May 16, 2019