



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

No. 02-22-00280-CV

GARY SINISE FOUNDATION, Appellant and Appellee

v.

SAMUEL C. GARDNER, SUCCESSOR TRUSTEE OF THE 2014 PB LIVING
TRUST, Appellee and Appellant

On Appeal from Probate Court No. 2
Denton County, Texas
Trial Court No. PR-2022-00674-B

Before Wallach, J.; Sudderth, C.J.; and Walker, J.
Per Curiam Memorandum Opinion

MEMORANDUM OPINION AND JUDGMENT

On October 13, 2022, we notified appellant and cross-appellant that their briefs had not been filed as the appellate rules require. *See* Tex. R. App. P. 38.6(a). We cautioned each that we could dismiss that party's appeal for want of prosecution unless, within ten days, that party filed with the court the party's brief and an accompanying motion reasonably explaining why the brief had not been filed and why an extension was needed. *See* Tex. R. App. P. 10.5(b), 38.8(a)(1), 42.3(b). We have received no response. Because appellant and cross-appellant have each failed to file a brief even after we afforded an opportunity to explain the initial failure, we dismiss the appeals for want of prosecution. *See* Tex. R. App. P. 38.8(a)(1), 42.3(b), 43.2(f).

Appellant must pay all costs of its appeal, and cross-appellant must pay all costs of his cross-appeal.

Per Curiam

Delivered: December 1, 2022