

NO. 07-00-0174-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL B  
OCTOBER 26, 2010

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JAMES B. CRENSHAW,

Appellant

V.

MIDWEST CONCRETE, INC., STEVE HOLBERT,  
KENNETH THOMAS, AND BEVERLY HOLBERT,

Appellees

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FROM THE 137TH DISTRICT COURT OF LUBBOCK COUNTY;  
NO. 97-560,037; HONORABLE CECIL G. PURYEAR, PRESIDING

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***Memorandum Opinion***

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Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

James B. Crenshaw appeals from the trial court's summary judgment. We dismiss the appeal. On July 17, 2000, this Court issued an opinion removing this case from the docket and abating it because appellee Midwest Concrete had filed a bankruptcy petition. The bankruptcy proceedings were closed as of July 15, 2010, and this court reinstated the case on the docket on September 14, 2010. Also on September 14, 2010, counsel for appellant was notified that appellant's brief was due

no later than October 14, 2010, no extension would be granted, and if the brief was not filed by the deadline, the appeal would be dismissed for want of prosecution. To date, no brief or motion to extend the deadline has been filed. Nor has the court received any explanation for the omission.

Accordingly, we dismiss the appeal for want of prosecution. TEX. R. APP. P. 38.8(a)(1); 42.3(b).

Per Curiam