

NO. 07-01-0342-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
MARCH 20, 2002

BRITE TRUCKING CO., INC., APPELLANT

V.

ELDON MARTIN D/B/A MARTIN CONSTRUCTION, APPELLEE

FROM THE 72ND DISTRICT COURT OF LUBBOCK COUNTY;
NO. 2000-509,664; HONORABLE WELDON KIRK, JUDGE

Before QUINN and REAVIS and JOHNSON, JJ.

On August 16, 2001, a copy of a Notice of Appeal from a Judgment in Cause No. 200-509,664 in the 72nd District Court of Lubbock County, Texas, was filed with the clerk of this court. The Judgment was signed on May 30, 2001.

On November 19, 2001, the trial court clerk's record was filed with the clerk of this court. On November 20, 2001, the reporter's record was filed with the clerk of this court.

By letter dated February 5, 2002, counsel for appellant was advised that neither appellant's brief nor a motion to extend time for filing the brief had been filed and that unless a response reasonably explaining the failure to file the brief and a showing that appellee had not been significantly injured by such failure was received by February 18, 2002, the appeal would be subject to dismissal. No response has been received to the letter of February 18, 2002. Neither appellant's brief nor a motion to extend time for filing the brief have been filed.

This appeal is dismissed. TEX. R. APP. P. 38.8(a)(1). Costs are taxed to appellant.
TEX. R. APP. P. 43.4.

Per Curiam

Do not publish.