

NO. 07-03-0230-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
NOVEMBER 25, 2003

JOHN WELCH AND ANGELA WELCH, APPELLANT

V.

UNITED SERVICES AUTOMOBILE ASSOCIATION, APPELLEE

FROM THE 284TH DISTRICT COURT OF MONTGOMERY COUNTY;
NO. 02-03-01831-CV; HONORABLE OLEN UNDERWOOD, JUDGE

Before JOHNSON, C.J., and QUINN and REAVIS, JJ.

MEMORANDUM OPINION

On May 9, 2003, a copy of a Notice of Appeal from a Summary Judgment in Cause No. 02-03-01831-CV in the 284th District Court of Montgomery County, Texas, was filed with the clerk of the Ninth Court of Appeals. The Summary Judgment was signed on April 9, 2003.

On June 17, 2003, the trial court clerk's record was filed with the clerk of this court. There has not been a reporter's record filed.

By letter dated November 4, 2003, appellant was advised that appellant's brief had not been filed and that unless a motion for extension of time to file the brief was received within ten days, the appeal would be subject to dismissal. No response has been received to the letter of November 4, 2003. 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.

Phil Johnson
Chief Justice