

NO. 07-05-0062-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
MARCH 31, 2005

---

ARMAND BIGLARI AND BIGLARI & ASSOCIATES, APPELLANTS

V.

HUGH D. REED DBA REYATA ENTERPRISES, APPELLEE

---

FROM THE 33RD DISTRICT COURT OF BURNET COUNTY;  
NO. 22983; HONORABLE GUILFORD L. JONES, III, JUDGE

---

Before QUINN and REAVIS and CAMPBELL, JJ.

**MEMORANDUM OPINION**

Armand Biglari filed a notice of appeal, on his behalf and that of Biglari & Associates, from a judgment in favor of appellee Hugh D. Reed dba Reyata Enterprises. The appellate record was complete on filing of the reporter's record January 20, 2005. See TEX. R. APP. P. 34.1. By letters dated March 3 and March 16, 2005, the clerk of this court notified Biglari that appellants' brief was due February 22, 2005, but had yet to be filed. See TEX. R. APP. P. 38.6(a), 38.8. The letters further advised Biglari that the appeal would be subject to dismissal for want of prosecution if the brief, or a response reasonably explaining the

failure to file a brief with a showing that appellee had not been injured by the delay, was not filed by March 28, 2005. No brief, motion for extension or other response has been received.

Accordingly, we now dismiss the appeal for want of prosecution and failure to comply with a directive of the court. See TEX. R. APP. P. 38.8(a)(1) and 42.3(b), (c).

James T. Campbell  
Justice