

NO. 07-06-0081-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
SEPTEMBER 28, 2006

SHAWN FULLER AND D & S MOBILE HOME CENTER, INC., APPELLANTS

V.

CITY OF LUBBOCK, APPELLEE

FROM THE 72ND DISTRICT COURT OF LUBBOCK COUNTY;

NO. 2004-528,757; HONORABLE BLAIR CHERRY, JUDGE

Before REAVIS and CAMPBELL and HANCOCK, JJ.

MEMORANDUM OPINION

Appellants, Shawn Fuller and D & S Mobile Home Center, Inc., appeal the trial court's judgment rendered on December 16, 2005. We dismiss the appeal.

Appellants' brief was due no later than September 11, 2006. By letter dated August 10, 2006, we notified appellants of the due date for the brief, and that, if the brief or a motion for extension of time to file the brief was not filed by the due date, the appeal would be subject to dismissal. TEX. R. APP. P. 42.3(c) Appellants have not filed a brief or a motion for extension of time.

Accordingly, having given all parties more than the required ten days notice, we dismiss the appeal for want of prosecution. TEX. R. APP. P. 38.8(a)(1); 42.3(b).

Mackey K. Hancock
Justice