

NO. 07-06-0149-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL B  
OCTOBER 11, 2006

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DAVID MERIWEATHER ANDERSON, APPELLANT

V.

JACK A. SUNSERI AND CONSOLIDATED PARTNERS, LTD., APPELLEES

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FROM THE 261<sup>ST</sup> DISTRICT COURT OF TRAVIS COUNTY;  
NO. GN 503,111; HONORABLE MARGARET A. COOPER, JUDGE

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

### **MEMORANDUM OPINION**

Appellant, David Meriweather Anderson, filed a notice of appeal from a Judgment entered February 15, 2006. The clerk's record was filed on May 30, 2006 and there is not a reporter's record per the docketing statement filed by appellant. By letter dated September 11, 2006, the clerk of this court notified appellant that his brief was due September 1, 2006, but had yet to be filed. See TEX. R. APP. P. 38.6(a). The letter further advised appellant 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 September 21, 2006. 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).

Mackey K. Hancock  
Justice