

NO. 07-08-0464-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL C  
MARCH 13, 2009

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IN THE INTEREST OF T.J.P. AND E.A.P., MINOR CHILDREN

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FROM THE 223RD DISTRICT COURT OF GRAY COUNTY;  
NO. 34,886; HONORABLE LEE WATERS, JUDGE

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

**MEMORANDUM OPINION**

Appellant, Amanda M. Perkins, filed a pro se notice of appeal challenging the trial court's possession order appointing her and Appellee, James C. Palmitier, joint managing conservators of their minor children.<sup>1</sup> Both the clerk's record and reporter's record have been filed. Appellant's brief was due to be filed on February 5, 2009, but has yet to be filed. By letter dated February 13, 2009, Perkins was notified of the defect and directed

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<sup>1</sup>Although Perkins was represented by counsel in the proceedings resulting in the court's order, her notice of appeal was filed pro se.

to file the brief on or before February 23, 2009, noting that failure to comply might result in dismissal of the appeal pursuant to applicable rules of appellate procedure. See Tex. R. App. P. 38.8(a)(1) and 42.3(b) and (c). Perkins was further notified that the untimely filing of the brief would require an accompanying motion for extension of time. Tex. R. App. P. 38.6. Perkins did not respond to this Court's notice. Neither was the brief nor a motion for extension of time filed.

Consequently, we dismiss this appeal for want of prosecution and failure to comply with an order of this Court.

Patrick A. Pirtle  
Justice