

NO. 07-09-0110-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
AUGUST 17, 2009

In the Interest of D.V., Jr., A.V. and A.V., Children

FROM THE 99th DISTRICT COURT OF LUBBOCK COUNTY;
NO. 99-505,558; HONORABLE WILLIAM C. SOWDER, JUDGE

MEMORANDUM OPINION

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

Helen Vela (appellant) filed a *pro se* notice of appeal seeking to alter the trial court's judgment on child support surplus. We dismiss the appeal. The clerk's record was filed with this court on April 6, 2009, and the reporter's record on June 17, 2009. Appellant's brief fell due on July 20, 2009. It was not received, however. By letter dated July 30, 2009, we notified appellant that the due date for the brief had lapsed, that the brief had not been filed, and that no motion to extend the deadline had been received by the court. Citing TEX. R. APP. P. 38.8, the letter also notified appellant that the appeal would be subject to dismissal unless a response reasonably explaining her failure to file a brief was submitted by August 10, 2009. To date, no brief or motion to extend the deadline has been filed. Nor has the court received any explanation for the omission.

Accordingly, we dismiss the appeal for want of prosecution. TEX. R. APP. P.
38.8(a)(1); 42.3(b).

Per Curiam