



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-16-00017-CV

MARILYN LEE INGRAM, APPELLANT

V.

DENNIS M. PERROTTA AND SHARI PERROTTA, APPELLEES

On Appeal from the 423rd District Court
Bastrop County, Texas
Trial Court No. 423-1885; Honorable Christopher Darrow Duggan, Presiding

October 4, 2016

MEMORANDUM OPINION

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

Pending before this court is Appellant Marilyn Lee Ingram's third motion for extension of time to file her brief. Having previously extended Ingram's briefing deadline for over 120 days, we deny her motion and dismiss her appeal for want of prosecution.

Ingram filed this appeal from a take-nothing judgment in favor of Appellees, Dennis M. Perrotta and Shari Perrotta. On April 19, 2016, we allowed Ingram's counsel

to withdraw from representation. Ingram continued her appeal *pro se*. After the clerk's record and reporter's record were filed, Ingram's brief was due on May 20, 2016. However, Ingram did not file a brief by this deadline. By letter dated May 31, 2016, we notified Ingram that her brief was late and granted, *sua sponte*, an extension of time to file her brief until June 10, 2016. On June 24, 2016, after the deadline had passed, Ingram filed a motion for extension of time to file her brief explaining that additional time was needed to obtain appellate counsel. We granted an extension to August 31, 2016, with the admonition that failure to file a brief by this date could subject the appeal to dismissal for want of prosecution. See TEX. R. APP. P. 38.8(a)(1), 42.3(b).

On August 31, 2016, Ingram again moved for an extension of time to file her brief as she was still unable to obtain appellate counsel. We granted an extension to September 30, 2016, and by letter again notified Ingram that failure to file a brief by the deadline could subject the appeal to dismissal for want of prosecution.

Ingram now moves for an extension until October 28, 2016, to file her brief because she is unable to obtain representation. Having given Ingram an ample amount of time to file her brief, we deny the motion.¹

Consequently, this appeal is dismissed for want of prosecution and failure to comply with a notice from the clerk of this court requiring action within a specified time. See TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).

Per Curiam

¹ Pursuant to Rule 2 of the Texas Rules of Appellate Procedure, we waive the \$10.00 filing fee for Ingram's third motion for extension of time to file brief.