



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-13-00069-CV

CARLOS ARMENTA, Appellant

V.

TDCJ, ET AL., Appellees

On Appeal from the 202nd District Court
Bowie County, Texas
Trial Court No. 08-C-1870-202

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Chief Justice Morriss

MEMORANDUM OPINION

Carlos Armenta filed a notice of appeal from what he described in his notice as a summary judgment signed May 23, 2013. The district clerk informed him that the clerk's record would be prepared and filed when arrangements were made for payment, as appellant is not indigent. The record was due July 22, 2013. On August 26, we sent a letter to Armenta warning him that, if he did not, within ten days, provide this Court with a response showing that he was pursuing the appeal and making an effort to obtain the record, his appeal would be subject to dismissal for want of prosecution.¹ We received a reply from Armenta September 5. He did not indicate that he was making any effort to obtain or file the record. Based on his comments, we conclude that he has decided not to pursue the appeal.

We dismiss the appeal for want of prosecution.

Josh R. Morriss, III
Chief Justice

Date Submitted: September 12, 2013
Date Decided: September 13, 2013

¹See TEX. R. APP. P 42.3(b), (c).