



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

No. 06-15-00087-CV

DALE AND LISA TURNER, Appellants

V.

SCOTT ASBJORNSON, Appellee

On Appeal from the 188th District Court
Gregg County, Texas
Trial Court No. 2013-1940-A

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

MEMORANDUM OPINION

Dale and Lisa Turner (the Turners) timely filed a notice of appeal October 13, 2015. By letter dated October 14, 2015, counsel for the Turners advised this Court that “Plaintiffs [were] withdrawing their appeal.”¹ Since that time, the Turners have made no further effort to prosecute this appeal. The Turners have failed to file a docketing statement pursuant to Rule 32.1 of the Texas Rules of Appellate Procedure, *see* TEX. R. APP. P. 32.1, and have likewise failed to pay the filing fee pursuant to Rule 5 of the Texas Rules of Appellate Procedure, *see* TEX. R. APP. P. 5.

By letter dated November 13, 2015, we warned the Turners that, unless we received information showing that they were making a substantial and tangible effort to prosecute this appeal by filing a docketing statement and paying the filing fee on or before November 23, 2015, this appeal would be dismissed for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).

Since we have received no response to this Court’s letter of November 13, 2015, the Turners’ appeal is ripe for dismissal for want of prosecution. Consequently, pursuant to Rules 38.8 and 42.3 of the Texas Rules of Appellate Procedure, we dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).

Josh R. Morriss, III
Chief Justice

Date Submitted: December 15, 2015
Date Decided: December 16, 2015

¹Although this Court requested that counsel for the Turners file a motion to dismiss the appeal, no such motion was filed.