



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

No. 06-18-00060-CV

MARK SCHOMBURG, Appellant

V.

GERMANIA INSURANCE AND KAKER AGENCY, LLP, Appellees

On Appeal from the 271st District Court
Wise County, Texas
Trial Court No. CV18-03-244

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

MEMORANDUM OPINION

Mark Schomburg filed a timely notice of appeal on June 28, 2018, of this case arising from Wise County, Texas.¹ The clerk's record was filed July 30, 2018, and the reporter's record was filed on August 3, 2018. The original deadline for Schomburg's appellate brief was September 4, 2018. When neither a brief nor a motion to extend time for filing same was received by September 4, 2018, this Court advised Schomburg by letter dated September 20, 2018, that the brief was late. We further extended the deadline for filing the brief to October 5, 2018. We warned Schomburg that failure to file the brief by October 5, 2018, would subject this appeal to dismissal for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).

We have received no responsive communication from Schomburg and have not received his appellate brief. Having not received any response to this Court's letter of September 20, 2018, Schomburg's 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: November 8, 2018
Date Decided: November 9, 2018

¹Originally appealed to the Second Court of Appeals, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. *See* TEX. GOV'T CODE ANN. § 73.001 (West 2013). We are unaware of any conflict between precedent of the Second Court of Appeals and that of this Court on any relevant issue. *See* TEX. R. APP. P. 41.3.