



**IN THE
TENTH COURT OF APPEALS**

No. 10-07-00239-CV

**IN THE MATTER OF THE MARRIAGE OF
JACKIE HOLIK AND MELISSA HOLIK
AND
IN THE INTEREST OF A.F.H., A CHILD**

**From the County Court at Law
Walker County, Texas
Trial Court No. 11297**

MEMORANDUM OPINION

Melissa Holik appeals from an adverse judgment rendered in a divorce and child custody case. After notification, we dismissed her appeal in November of 2007. *See* TEX. R. APP. P. 42.3(b), (c) and 44.3. Holik filed a motion to reconsider which we ultimately granted. In February of 2008, the opinion and judgment of dismissal were withdrawn, and the appeal was reinstated.

Holik's brief in this appeal is now past due. The Clerk of this Court notified Holik in a letter dated July 16, 2008 that the brief was past due and warned her that the Court might dismiss the appeal for want of prosecution unless, within 21 days of this letter, Holik or any party desiring to continue the appeal filed with this Court a

response showing grounds for continuing the appeal. More than 21 days have passed, and Holik has neither filed a brief nor responded in any way to the Clerk's letter.

Accordingly, this appeal is dismissed. TEX. R. APP. P. 38.8(a)(1); 42.3(b), (c).

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Vance, and
Justice Reyna
Appeal dismissed
Opinion delivered and filed September 17, 2008
[CV06]