



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-07-00290-CR

JEREMY PAUL CARRELL,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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From the County Court at Law  
Walker County, Texas  
Trial Court No. 06-1563

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MEMORANDUM OPINION

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This appeal was abated because no brief had been filed for Carrell. After receiving a reporter's record which contained the trial court's findings from the hearing on abatement, the appeal was reinstated.

By letter dated August 26, 2008, the Clerk of this Court warned Carrell that pursuant to Rule 44.3 of the Texas Rules of Appellate Procedure and our inherent authority, the appeal may be dismissed for want of prosecution because the trial court found that Carrell had intentionally delayed the timely disposition of the appeal and recommended that the appeal be dismissed. *See* TEX. R. APP. P. 44.3; *Ealy v. State*, 222

S.W.3d 744 (Tex. App.—Waco 2007, no pet.); *Stavinoha v. State*, 82 S.W.3d 690 (Tex. App.—Waco 2002, no pet.). The Clerk further warned Carrell that the Court would dismiss the appeal unless, within 21 days from the date of the letter, a response was filed showing grounds why the appeal should not be dismissed as the trial court recommended. More than 21 days have passed and no response has been filed.

Accordingly, this appeal is dismissed, under our inherent authority, for want of prosecution.

TOM GRAY  
Chief Justice

Before Chief Justice Gray,  
Justice Vance, and  
Justice Reyna  
Appeal dismissed  
Opinion delivered and filed October 8, 2008  
Do not publish  
[CR25]