



IN THE
TENTH COURT OF APPEALS

No. 10-11-00171-CV

ZEKE'S TRUCKING CO., INC.,

Appellant

v.

ROBERT GRAYSON,

Appellee

From the 12th District Court
Walker County, Texas
Trial Court No. 24,476

MEMORANDUM OPINION

Zeke's Trucking Co., Inc. appeals from a judgment finalizing an arbitration award to Robert Grayson. The judgment was filed on January 10, 2011. By letter dated May 2, 2011, the Clerk of this Court notified Zeke's Trucking Co. that the appeal was subject to dismissal because it appeared the notice of appeal was untimely. TEX. R. APP. P. 26.1. Because it appeared that a motion for new trial was filed, the notice of appeal would have been due on April 11, 2011. *See id.* (a). It was not filed until May 13, 2011. The Clerk also warned Zeke's Trucking Co. that the appeal would be dismissed unless,

within 21 days of the date of the letter, a response was filed showing grounds for continuing the appeal. *See* TEX. R. APP. P. 42.3, 44.3. We have not received a response.

Accordingly, this appeal is dismissed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed June 15, 2011
[CV06]