

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-03-00484-CV**

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**Kevin A. Fleming; Gary E. Mefford; and Richard J. Wheeler, Appellants**

**v.**

**Village Bank & Trust, S.S.B., Appellee**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 201ST JUDICIAL DISTRICT  
NO. GN300132, HONORABLE LORA J. LIVINGSTON, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

The trial court signed its final judgment in this cause on June 20, 2003, and appellants filed their notice of appeal on May 23. The clerk's record was filed on August 14, making appellants' brief due on September 15. *See* Tex. R. App. P. 38.6(a). On October 29, the Clerk of this Court sent appellants notice that their brief was overdue and that the appeal would be dismissed for want of prosecution if appellants' brief was not filed by November 3. To date, appellants have not responded to this Court's notice. We therefore dismiss this appeal for want of prosecution. *See* Tex. R. App. P. 42.3.

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W. Kenneth Law, Chief Justice

Before Chief Justice Law, Justices B. A. Smith and Patterson

Dismissed for Want of Prosecution

Filed: December 4, 2003

