

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

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**NO. 03-04-00365-CV**

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**Gabriel Fontenette, Jr., Appellant**

**v.**

**Board of Pardons & Paroles and Greg Abbott,  
Attorney General, Appellees**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 345TH JUDICIAL DISTRICT  
NO. GN400956, HONORABLE MARGARET A. COOPER, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

On January 11, 2005, appellant was notified that his brief was overdue and given until January 24, 2005, to respond to our notice. *See* Tex. R. App. P. 38.8(a)(1) (if appellant fails to file brief or reasonably explain failure, appeal may be dismissed for want of prosecution). To date, we have received no response. Accordingly, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 42.3(b) (dismissal for want of prosecution); (c) (dismissal for failure to respond to clerk's notice requiring response within specified time).

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W. Kenneth Law, Chief Justice

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

Dismissed for Want of Prosecution

Filed: February 10, 2005