

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-05-00177-CV

Donald Cavitt, Jr., Appellant

v.

Texas Department of Criminal Justice, Appellee

**FROM THE DISTRICT COURT OF BELL COUNTY, 146TH JUDICIAL DISTRICT
NO. 206,653-B, HONORABLE MARTHA J. TRUDO, JUDGE PRESIDING**

MEMORANDUM OPINION

We will dismiss this appeal for want of prosecution. The clerk's record was filed on March 21, 2005. On April 26, 2005, the reporter informed this Court that no court reporter's record was taken or requested. On May 9, 2005, this Court informed appellant that his brief was overdue. This Court cautioned appellant that, unless he filed a motion to extend time to file his brief by May 19, 2005, this Court would dismiss his appeal. Appellant has not filed a brief or a motion to extend time to file a brief. We dismiss this appeal for want of prosecution. *See* Tex. R. App. P. 42.3(b).

Bea Ann Smith, Justice

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

Dismissed for Want of Prosecution

Filed: July 1, 2005