

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

---

---

**NO. 03-05-00648-CV**

---

---

**Christopher Thomas, Appellant**

**v.**

**The State of Texas for the protection of Kristi Thomas on behalf of  
K.L.T., C.A.T. and C.M.T., Appellee**

---

---

**FROM THE COUNTY COURT AT LAW OF BASTROP COUNTY, NO. 05-9646  
HONORABLE BENTON ESKEW, JUDGE PRESIDING**

---

---

**MEMORANDUM OPINION**

Appellant Christopher Thomas filed his notice of appeal on October 4, 2005. On December 1, 2005, this Court received notice from the Bastrop County district clerk's office that the appellant had not paid or made arrangements to pay for the clerk's record. On December 23, 2005, the Clerk of this Court sent notice to appellant's counsel that this appeal would be dismissed for want of prosecution if he did not submit a status report to this Court by January 3, 2006. To date, appellant's counsel has not responded to this Court's notice. Appellant's counsel notified this Court on January 9, 2006, that he has been unable to communicate with his client. Counsel has filed a motion to withdraw. Counsel provided us with a copy of his December 27, 2005 letter to appellant, which was sent by certified mail to appellant's address in Hamlin and by regular mail to appellant's two additional addresses in Abilene. In the letter, counsel states that he has not

heard from appellant regarding the appeal and advises appellant of counsel's request to this Court to withdraw due to appellant's refusal to communicate with him. Based on these facts, we dismiss the appeal for want of prosecution, *see* Tex. R. App. P. 37.3(b), and grant counsel's motion to withdraw.

---

Jan P. Patterson, Justice

Before Justices B. A. Smith, Patterson and Puryear

Dismissed for Want of Prosecution

Filed: January 31, 2006