

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

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**NO. 03-08-00306-CR**

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**Shane Brooks, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE COUNTY COURT OF COMAL COUNTY  
NO. CCL-2573, HONORABLE CLAUDE D. DAVIS, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant Shane Brooks filed his notice of appeal on May 2, 2008. On October 7, 2008, this Court received notice from the County Clerk's Office of Comal County that Brooks has neither paid, nor made arrangements to pay, for the clerk's record. On October 13, 2008, the clerk of this Court sent notice to Brooks that this appeal may be dismissed for want of prosecution if he did not submit a response regarding this matter on or before October 23, 2008. To date, Brooks has not responded to this Court's notice, and the clerk's record has not been filed. Accordingly, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 37.3(b).

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Bob Pemberton, Justice

Before Chief Justice Law, Justices Puryear and Pemberton

Dismissed for Want of Prosecution

Filed: December 17, 2008

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