

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

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**NO. 03-10-00690-CV**

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**Appellants, Harbor Ventures, Inc. and Rand Forest d/b/a Shoreline Development and  
LTYH, LLC//Cross-Appellants, Tim Dalton and Sandra McKenney**

**v.**

**Appellees, Tim Dalton, Sandra McKenney and Susan Brown//Cross-Appellees, Harbor  
Ventures, Inc. and Rand Forest d/b/a Shoreline Development and LTYH, LLC**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 201ST JUDICIAL DISTRICT  
NO. D-1-GN-05-002738, HONORABLE LORA J. LIVINGSTON, JUDGE PRESIDING**

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**ORDER**

Cross-appellants Tim Dalton and Sandra McKenney filed a notice of cross-appeal on December 9, 2010. Their brief was due on May 9, 2011. On June 23, 2011, the Clerk of this Court sent Cross-appellants notice that their brief was overdue and that if they failed to file a brief, their cross-appeal may be dismissed for want of prosecution unless, by July 5, 2011, they reasonably explained the failure and if Cross-appellees were not significantly injured by that failure. To date, Cross-appellants have not filed their brief nor have they responded to the June 23, 2011 notice. We therefore dismiss the cross-appeal of Tim Dalton and Sandra McKenney for want of prosecution. Tex. R. App. P. 42.3(b). This appeal will continue under the same cause number and is restyled as *Harbor Ventures, Inc., Rand Forest d/b/a Shoreline Development, and LTYH, LLC v. Tim Dalton, Sandra McKenney, and Susan Brown.*

It is so ordered July 26, 2011.

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J. Woodfin Jones, Chief Justice

Before Chief Justice Jones, Justices Pemberton and Henson