

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00076-CV

John Rady, As Assignee, Appellant

v.

Wells Fargo Bank, N.A., Appellee

**FROM THE COUNTY COURT AT LAW NO. 1 OF TRAVIS COUNTY,
NO. C-1-CV-11-009407, HONORABLE J. DAVID PHILLIPS, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant John Rady's brief was initially due on June 15, 2012. In an order dated September 21, 2012, this Court notified Rady that the appellant's brief was due no later than October 22, 2012, and that his appeal would be dismissed for want of prosecution if he did not file the brief by that date. On October 25, 2012, Rady attempted to e-file a motion to extend time to file brief and the appellant's brief, but this Court rejected the submission because it did not comply with the Court's e-filing rules. This Court notified Rady that the motion and his brief had not been filed and the reason that they were not filed. To date, Rady has not responded to the Court's notice and, therefore, the appellant's brief has not been filed.

On December 11, 2012, appellee Wells Fargo Bank, N.A., filed a motion to dismiss for failure to prosecute. Rady has not responded to the motion to dismiss. We grant the motion and dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 42.3(b).

Melissa Goodwin, Justice

Before Chief Justice Jones, Justices Rose and Goodwin

Dismissed for Want of Prosecution

Filed: January 15, 2013