

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

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**NO. 03-14-00558-CV**

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**Jeff Moseley, Appellant<sup>1</sup>**

**v.**

**FedEx Techconnect, Inc., LLC, Appellee**

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**FROM THE COUNTY COURT AT LAW NO. 1 OF TRAVIS COUNTY  
NO. C-1-CV-13-010512, HONORABLE J. DAVID PHILLIPS, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

After an extension obtained in November 2014, appellant’s brief was due in this Court on January 5, 2015. If an appellant fails to file a brief, this Court may dismiss the appeal for want of prosecution unless the appellant reasonably explains the failure and appellee is not significantly injured by that failure.<sup>2</sup> On January 13, 2015, we sent notice to appellant that his brief was overdue and that the appeal may be dismissed for want of prosecution if appellant did not submit a proper motion to this Court on or before January 23, 2015. No brief or motion for extension of time has been filed since that notice. Accordingly, we dismiss the appeal for want of prosecution.<sup>3</sup>

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<sup>1</sup> Although the county court’s judgment identifies defendant as “Jeff Moseley,” appellant informed this Court in the agreed motion for extension of time that the correct spelling is “Jeff Mosley.”

<sup>2</sup> See Tex. R. App. P. 38.8(a)(1).

<sup>3</sup> See *id.* 42.3(b).

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Bob Pemberton, Justice

Before Justices Puryear, Pemberton, and Bourland

Dismissed for Want of Prosecution

Filed: June 26, 2015