

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-15-00272-CV

Erika Saenz Salmeron, Appellant

v.

Tiofilia Linda Constancio Govea, Appellee

**FROM THE COUNTY COURT AT LAW NO. 2 OF TRAVIS COUNTY
NO. C-1-CV-15-002970, HONORABLE JOE CARROLL, JUDGE PRESIDING**

MEMORANDUM OPINION

Erika Saenz Salmeron appeals from a judgment awarding possession in a forcible detainer suit. Her opening brief was originally due on August 20, 2015. After Salmeron failed to timely file her brief, the Clerk of this Court sent notice to her—on September 21, 2015—advising that her brief was overdue and that if she did not file a brief or otherwise respond with a reasonable explanation by October 1, 2015, her appeal would be subject to dismissal for want of prosecution.¹ The October 1 deadline has passed, and to date Salmeron has not filed a brief or otherwise responded. Accordingly, we dismiss this appeal for want of prosecution.²

¹ *See* Tex. R. App. P. 38.8(a)(1) (if appellant fails to timely file a brief, this Court is empowered to dismiss the appeal for want of prosecution unless appellant reasonably explains the failure and appellee is not significantly injured by that failure).

² *See id.* R. 42.3(b).

Bob Pemberton, Justice

Before Chief Justice Rose, Justices Pemberton and Field

Dismissed for Want of Prosecution

Filed: October 15, 2015