

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

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**NO. 03-15-00229-CV**

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**Aziz Shakarzahi and Ilia Shakarzahi, Appellants**

**v.**

**Raymond Malooly; Alan Malooly; Malooly Corporation; Pebble Hills Plaza, Ltd.;  
ASLM, Ltd.; ASLM II, Ltd.; January 2K, Ltd.; and Federal Acceptance Corporation,  
Appellees**

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**FROM THE DISTRICT COURT OF WILLIAMSON COUNTY, 277TH JUDICIAL DISTRICT  
NO. 14-0140-C277, HONORABLE STACEY MATHEWS, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellants' opening brief was originally due on April 22, 2016. After this deadline passed without a brief being filed, our Clerk sent notice to appellants on May 11, 2016, advising that their brief was overdue and warning that the appeal could be dismissed for want of prosecution if appellants did not file a brief or otherwise respond by May 23, 2016 with a reasonable explanation for failing to file a brief.<sup>1</sup> To date, appellants have provided no explanation of their ongoing failure to file a brief, let alone filed one. We dismiss the appeal for want of prosecution.<sup>2</sup>

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<sup>1</sup> *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).

<sup>2</sup> *See id.* R. 42.3(b).

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Bob Pemberton, Justice

Before Chief Justice Rose, Justices Pemberton and Bourland

Dismissed for Want of Prosecution

Filed: June 30, 2016