

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-16-00106-CV

Thomas W. Smith and Nationwide Metal Buildings, LLC, Appellants

v.

TMS Construction, Inc., Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 53RD JUDICIAL DISTRICT
NO. D-1-GN-16-000110, HONORABLE SCOTT H. JENKINS, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellants' brief was due on May 12, 2016. On June 6, 2016, this Court notified appellants that their brief was overdue and that a failure to respond by June 16, 2016 would result in the dismissal of this appeal for want of prosecution. To date, appellants have not filed a brief or a motion for extension of time. Accordingly, we dismiss this appeal for want of prosecution. *See* Tex. R. App. P. 38.8(a), 42.3(b).

Cindy Olson Bourland, Justice

Before Chief Justice Rose, Justices Goodwin and Bourland

Dismissed for Want of Prosecution

Filed: July 6, 2016