



**NUMBER 13-11-00335-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**WILLIAM ASHLEY NEAL, INDIVIDUALLY AND  
D/B/A TILE OF LUXURY AND POWER PRODUCTIONS,                      Appellant,**

**v.**

**MICHAEL C. DAWSON,    Appellee.**

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**On appeal from the County Court at Law No. 4  
of Nueces County, Texas.**

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**MEMORANDUM OPINION**

**Before Justices Rodriguez, Vela, and Perkes  
Memorandum Opinion Per Curiam**

The appellant's brief in the above cause was due on July 28, 2011. On October 5, 2011, the Clerk of the Court notified appellant that the brief had not been timely filed and that the appeal was subject to dismissal for want of prosecution under Texas Rule of

Appellate Procedure 38.8(a)(1), unless within ten days from the date of receipt of this letter, appellant reasonably explained the failure and the appellee was not significantly injured by the appellant's failure to timely file a brief. The notice was sent to appellant's last known address; however, the notice was returned unclaimed. On October 27, 2011, the Court resent the notice regular mail and no response has been filed.

Appellant has failed to either reasonably explain his failure to file a brief, file a motion for extension of time to file his brief, or file his brief. Accordingly, the appeal is DISMISSED FOR WANT OF PROSECUTION. See TEX. R. APP. P. 38.8(a), 42.3(b).

PER CURIAM

Delivered and filed the  
15<sup>th</sup> day of December, 2011.