



NUMBER 13-11-00326-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

REYES URBINA,

Appellant,

v.

**DESIGNER HOMES CO., INC., ONESIMO
MARTINEZ, XAVIER VILLESICAS [ERRONEOUSLY
SUED AS JAVIER BILOLESCAS OR BILLESCAS],
COMPASS BANK AND GREGORY S. KAZEN,
IN HIS CAPACITY ONLY AS SUBSTITUTE TRUSTEE,**

Appellees.

**On Appeal from the 275th District Court
of Hidalgo County, Texas.**

MEMORANDUM OPINION

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

This matter is before the Court on a defective notice of appeal and appellant's failure to correct the defect. On June 2, 2011, the Court advised appellant that the notice of appeal was not in compliance with Texas Rule of Appellate Procedure 25.1(d)(2) and

9.5(e)(3). See TEX. R. APP. P. 25.1(d)(2), 9.5(e)(3). The Clerk directed appellant to file an amended notice of appeal with the district clerk's office within 30 days from the date of that notice.

On July 19, 2011, the Clerk notified appellant that the defects had not been corrected and warned appellant that the appeal would be dismissed if the defects were not cured within ten days. Appellant has failed to correct the defects or otherwise respond to the Court's notices.

On its own motion, with ten days notice to the parties, an appellate court may dismiss a civil appeal for want of prosecution or failure to comply with a notice from the clerk requiring a response or other action within a specified time. See TEX. R. APP. P. 42.3(b), (c). Accordingly, we dismiss the appeal for want of prosecution and failure to comply with a notice from the Court. See *id.*

PER CURIAM

Delivered and filed the
25th day of August, 2011.