



NUMBER 13-16-00239-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

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AVA SUE VERCHER,

Appellant,

v.

DAVID J. ADAMEK AND AMY M. ADAMEK,

Appellees.

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On appeal from the 25th District Court  
of Lavaca County, Texas.

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## MEMORANDUM OPINION

Before Justices Rodriguez, Garza, and Longoria  
Memorandum Opinion Per Curiam

The appellant's brief in the above cause was originally due on June 30, 2016. Appellant has previously requested and received four prior extensions of time to file the brief. On November 3, 2016, this Court ordered the appellate brief to be filed on or before December 2, 2016. The order notified appellant that no further extensions would be granted and that if the brief was not filed, the appeal was subject to dismissal for want of

prosecution under Texas Rule of Appellate Procedure 38.8(a)(1), unless appellant reasonably explained the failure and the appellees were not significantly injured by the appellant's failure to timely file a brief. Appellees have filed a motion to dismiss the appeal.

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

PER CURIAM

Delivered and filed the  
21st day of December, 2016.