



NUMBER 13-17-00385-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

VERDI ENTERPRISES, L.L.C.,

Appellant,

v.

**HOME DEPOT U.S.A., INC., BRITER
ENTERPRISES, INC., AND WELLS
FARGO HOME MORTGAGE, INC.,**

Appellees.

**On appeal from the 410th District Court
of Montgomery County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Longoria and Hinojosa
Memorandum Opinion by Chief Justice Valdez**

Appellant Verdi Enterprises, L.L.C. filed a notice of appeal from the trial court's June 2, 2017 order granting a summary judgment rendered against it in favor of appellee, Wells Fargo Home Mortgage, Inc. This appeal was transferred to this Court from the Ninth Court of Appeals by order of the Texas Supreme Court. See TEX. GOV'T CODE ANN.

§ 22.220(a) (West, Westlaw through 2017 R.S.) (delineating the jurisdiction of appellate courts); TEX. GOV'T CODE ANN. § 73.001 (West, Westlaw through 2017 R.S.) (granting the supreme court the authority to transfer cases from one court of appeals to another at any time that there is "good cause" for the transfer).

On August 2, 2017, the Clerk of this Court notified appellant that the clerk's record in the above cause was originally due on August 1, 2017, and that the deputy district clerk, Colleen Lawyer, had notified this Court that appellant failed to make arrangements for payment of the clerk's record. The Clerk of this Court notified appellant of this defect so that steps could be taken to correct the defect, if it could be done. See TEX. R. APP. P. 37.3, 42.3(b),(c). Appellant was advised that, if the defect was not corrected within ten days from the date of receipt of this notice, the appeal would be dismissed for want of prosecution.

Appellant has failed to respond to this Court's notice. Accordingly, the appeal is DISMISSED FOR WANT OF PROSECUTION. See TEX. R. APP. P. 42.3(b), (c).

/s/ Rogelio Valdez
ROGELIO VALDEZ
Chief Justice

Delivered and filed the
31st day of August, 2017.