



NUMBER 13-18-00575-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

JOSE ANDRES DE LA FUENTE,

Appellant,

v.

**LONE STAR NATIONAL BANK,
A NATIONAL BANKING ASSOCIATION,**

Appellee.

**On appeal from County Court at Law No. 5
of Hidalgo County, Texas.**

MEMORANDUM OPINION

**Before Justices Benavides, Longoria, and Perkes
Memorandum Opinion by Justice Benavides**

Appellant De La Fuente appeals from the trial court's grant of summary judgment to appellee Lone Star National Bank. On May 13, 2019, we granted De La Fuente's first pro se motion for extension of time to file a brief until June 24, 2019. On June 21, 2019, we granted De La Fuente's second pro se motion for extension of time to file a brief until

July 24, 2019. De La Fuente filed a brief on July 22, 2019, which did not comply with Rule 38.1. See TEX. R. APP. P. 38.1 We issued a letter on July 24, 2019 and asked De La Fuente to amend his brief within ten days to comply with Rule 38.1. See *id.*

On August 6, 2019, we issued an order granting De La Fuente's motion for extension of time to amend his brief, gave him a thirty-day extension of time, and told him if he failed to file his amended brief on time, his appeal would be dismissed. De La Fuente's brief was due September 5, 2019.¹

Appellant has failed to respond to this Court's latest order. Numerous efforts were made by this Court to reach and locate appellant via the United States Postal Service, but such efforts have been unsuccessful. Furthermore, appellant has not provided this Court with any updated contact information. Accordingly, we will treat appellant's failure to respond to this Court's orders as a failure to comply with the requirements of the Texas Rules of Appellate Procedure, this Court's orders, and attempted notices from the clerk of this Court, which required a timely response from appellant. See TEX. R. APP. P. 42.3(c). Therefore, we dismiss appellant's appeal for want of prosecution. See TEX. R. APP. P. 42.3(c).

GINA M. BENAVIDES,
Justice

Delivered and filed the
17th day of October, 2019.

¹ The Clerk contacted De La Fuente by telephone who stated he would file a motion for extension of time to file his amended brief in early September. No motion was filed.