

NO. 12-11-00238-CV
IN THE COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT
TYLER, TEXAS

JOHNNY M. STAFFORD,
APPELLANT

§

APPEAL FROM THE

V.

§

COUNTY COURT AT LAW #2

ECONOMIC DEVELOPMENT
CORPORATION,
APPELLEE

§

GREGG COUNTY, TEXAS

MEMORANDUM OPINION
PER CURIAM

This appeal is being dismissed because Appellant has failed to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3. Pursuant to Rule 32.1, Appellant's docketing statement was due to have been filed at the time the appeal was perfected, i.e., July 11, 2011. *See* TEX. R. APP. P. 32.1. Because Appellant did not file his docketing statement at that time, this court requested by letter dated August 10, 2011, that he file his docketing statement within ten days if he had not already done so. Appellant did not file the docketing statement as requested.

In a second notice dated August 25, 2011, the court advised Appellant that the docketing statement was past due. The notice further provided that unless the docketing statement was filed on or before September 6, 2011, the appeal would be presented for dismissal in accordance with Texas Rule of Appellate Procedure 42.3. *See* TEX. R. APP. P. 32.1. The September 6 deadline has passed, and Appellant has not complied with the court's request. Because Appellant has failed, after notice, to comply with Rule 32.1, the appeal is ***dismissed***. *See* TEX. R. APP. P. 42.3(c).

Opinion delivered September 14, 2011.
Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)