

NO. 12-13-00244-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***RONALD REED,
APPELLANT***

§ ***APPEAL FROM THE 3RD***

V.

§ ***JUDICIAL DISTRICT COURT***

***SENIOR WARDEN FOXWORTH,
APPELLEE***

§ ***ANDERSON COUNTY, TEXAS***

***MEMORANDUM OPINION
PER CURIAM***

This appeal is being dismissed for failure to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3(c). The judgment in this case was signed on June 18, 2013. The record was filed on August 14, 2013, making Appellant's brief due on September 13, 2013. *See* TEX. R. APP. P. 38.6(a). The court received Appellant's brief on September 9, 2013, but the brief was defective.

On September 9, 2013, Appellant was notified that the brief failed to comply with Texas Rule of Appellate Procedure 38.1, subsections (a), (b), (c), (f), (h), (i), and (k). He was further notified that unless he filed a supplement to the brief to correct the defects on or before September 19, 2013, the brief would be returned to him and deemed past due, and the appeal would be presented to the court for dismissal for failure to timely file the brief. Appellant did not file a supplement to his brief, and the brief was returned to him on September 26, 2013. Appellant filed a response in which he indicated that he would not be filing the requested supplement. Accordingly, the appeal is ***dismissed*** for failure, after notice, to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3(c).

Opinion delivered October 9, 2013.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

OCTOBER 9, 2013

NO. 12-13-00244-CV

RONALD REED,
Appellant
V.
SENIOR WARDEN FOXWORTH,
Appellee

Appeal from the 3rd District Court
of Anderson County, Texas (Tr.Ct.No. 3-41917)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed** for failure to comply with the Texas Rules of Appellate Procedure 42.3(c); and that this decision be certified to the court below for observance.

By *per curiam* opinion.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.