

NO. 12-18-00001-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

SYNERGY HOLDING SOLUTIONS TRUST, SYNERGY HOLDING SOLUTIONS, PR LLC, SYNERGY HOLDING SOLUTIONS PR, INC., DEIFY STUDIOS, INC., LUKE EYRE AND NATHAN NEARMAN, APPELLANTS § ***APPEAL FROM THE 241ST JUDICIAL DISTRICT COURT***

V.

EASTAR INVESTMENTS, INC., APPELLEE § ***SMITH COUNTY, TEXAS***

***MEMORANDUM OPINION
PER CURIAM***

This appeal is being dismissed for want of prosecution with respect to Appellants Synergy Holding Solutions Trust, Synergy Holding Solutions, PR, LLC, Synergy Holding Solutions PR, Inc., and Deify Studios, Inc.¹ *See* TEX. R. APP. P. 42.3(b). Appellants perfected their appeal on December 18, 2017. The clerk’s record was filed on February 15, 2018, the report’s record was filed on March 19, and Appellants’ brief was due on or before April 18. On April 24, this Court notified Appellants that their brief was past due. We further notified Appellants that the appeal may be dismissed for want of prosecution unless a motion for extension of time, containing a reasonable explanation for the failure to file a brief and showing that Appellee has not suffered material injury thereby, is filed no later than May 4.

The May 4 deadline has passed and Appellants did not file a brief or a motion for extension of time. Accordingly, we *dismiss* the appeal as to Appellants Synergy Holding Solutions Trust, Synergy Holding Solutions, PR, LLC, Synergy Holding Solutions PR, Inc., and

¹ Appellants Luke Eyre and Nathan Nearman filed a brief and their appeal is not affected by this dismissal.

Deify Studios, Inc. for *want of prosecution*. See TEX. R. APP. P. 38.8(a)(1), 42.3(b). This dismissal does not affect the appeal of any other party.

Opinion delivered May 8, 2018.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

MAY 8, 2018

NO. 12-18-00001-CV

**SYNERGY HOLDING SOLUTIONS TRUST, SYNERGY HOLDING
SOLUTIONS, PR LLC, SYNERGY HOLDING SOLUTIONS PR, INC.,
DEIFY STUDIOS, INC., LUKE EYRE AND NATHAN NEARMAN,**

Appellants

V.

EASTAR INVESTMENTS, INC.,

Appellee

Appeal from the 241st District Court
of Smith County, Texas (Tr.Ct.No. 16-2265-C)

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 for want of prosecution with respect to Synergy Holding Solutions Trust, Synergy Holding Solutions, PR, LLC, Synergy Holding Solutions PR, Inc., and Deify Studios, Inc.

It is therefore ORDERED, ADJUDGED and DECREED by this Court that the appeal by Synergy Holding Solutions Trust, Synergy Holding Solutions, PR, LLC, Synergy Holding Solutions PR, Inc., and Deify Studios, Inc. be, and the same is, hereby **dismissed for want of prosecution**; and that this decision be certified to the court below for observance. This dismissal does not affect the appeal of any other party.

By *per curiam* opinion.

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