

NO. 12-18-00057-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

JUDY HARRELL, DALE HARRELL, § **APPEAL FROM THE 294TH**
PAT HARRELL, INDIVIDUALLY AND
JUDY HARRELL ESTATE OF
WILLIAM FRED HARRELL AND
ESTATE OF CLOVIS HARRELL,
APPELLANTS § **JUDICIAL DISTRICT COURT**

V.

JERRY LYNN HARRELL, § **VAN ZANDT COUNTY, TEXAS**
APPELLEE

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. Pursuant to Rule 32.1, Appellants' docketing statement was due to have been filed at the time the appeal was perfected, i.e., March 15, 2018. On March 19, 2018, this Court requested that Appellants file a docketing statement within ten days if they had not already done so. Appellants did not file the docketing statement as requested.

On April 4, this Court issued a second notice advising Appellants that the docketing statement was past due. The notice further provided that unless the docketing statement was filed on or before April 16, the appeal would be presented for dismissal in accordance with Texas Rule of Appellate Procedure 42.3. The date for filing the docketing statement has passed, and Appellants have not complied with the Court's request.¹

Because Appellants have failed, after notice, to comply with Rule 32.1, the appeal is *dismissed*. *See* TEX. R. APP. P. 42.3(c).

¹ On April 23, 2018, Appellant informed this Court that the parties settled the case and intended to file a motion to dismiss. As of the date of this opinion, no motion to dismiss has been filed, despite inquiries regarding status by this Court's clerk's office.

Opinion delivered June 6, 2018.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

JUNE 6, 2018

NO. 12-18-00057-CV

**JUDY HARRELL, DALE HARRELL, PAT HARRELL, INDIVIDUALLY AND JUDY
HARRELL ESTATE OF WILLIAM FRED HARRELL AND ESTATE OF CLOVIS
HARRELL,**
Appellants
V.
JERRY LYNN HARRELL,
Appellee

Appeal from the 294th District Court
of Van Zandt County, Texas (Tr.Ct.No. 13-00258)

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**; and that this decision be certified to the court below for observance.

By per curiam opinion.

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