

NO. 12-18-00120-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

<i>IN THE INTEREST OF</i>	§	<i>APPEAL FROM THE 273RD</i>
<i>D.B.B., M.J.B., AND M.B.B.,</i>	§	<i>JUDICIAL DISTRICT COURT</i>
<i>CHILDREN</i>	§	<i>SHELBY COUNTY, TEXAS</i>

*MEMORANDUM OPINION
PER CURIAM*

This appeal is being dismissed for want of prosecution. *See* TEX. R. APP. P. 42.3(b). A.B. perfected her appeal on May 11, 2018. The clerk’s record was filed on June 18, 2018, and A.B.’s brief was due on or before September 13. On September 25, the Clerk of this Court notified A.B. that her brief was past due and no motion for extension of time had been filed. The notice warned that the appeal may be dismissed for want of prosecution if a motion for extension of time, containing a reasonable explanation for the failure to timely file a brief and showing that Appellee has not suffered material injury thereby, was not received by October 5. *See* Tex. R. App. P. 38.8(a)(1).

The deadline has passed and A.B. has failed to file a proper motion for extension of time or an appellant’s brief and has not otherwise respond to this Court’s September 25 notice. Accordingly, we *dismiss* the appeal for *want of prosecution*. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b).

Opinion delivered October 17, 2018.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

OCTOBER 17, 2018

NO. 12-18-00120-CV

IN THE INTEREST OF D.B.B., M.J.B., AND M.B.B., CHILDREN

Appeal from the 273rd District Court
of Shelby County, Texas (Tr.Ct.No. 12D27308)

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.

It is therefore ORDERED, ADJUDGED and DECREED by this Court that this appeal be, and the same is, hereby **dismissed for want of prosecution**; 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.