

NO. 12-18-00310-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

THE STATE OF TEXAS FOR THE § *APPEAL FROM THE*
BEST INTEREST AND PROTECTION § *COUNTY COURT AT LAW*
OF M.W.J. § *CHEROKEE COUNTY, TEXAS*

MEMORANDUM OPINION
PER CURIAM

This accelerated appeal is being dismissed for want of prosecution. *See* TEX. R. APP. P. 42.3(b). Appellant, M.W.J., perfected his appeal on November 7, 2018. The reporter's record was filed on November 8 and the clerk's record was filed on November 9. M.W.J.'s brief was due on or before December 2. On December 3, this Court notified M.W.J. that his brief was past due. We further notified M.W.J. 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 December 13.

The December 13 deadline expired and M.W.J. did not file a brief or a motion for extension of time. Accordingly, we *dismiss* the appeal for *want of prosecution*. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b).

Opinion delivered December 31, 2019.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

DECEMBER 31, 2019

NO. 12-18-00310-CV

**THE STATE OF TEXAS FOR THE BEST
INTEREST AND PROTECTION OF M.W.J.**

Appeal from the County Court at Law
of Cherokee County, Texas (Tr.Ct.No. 42,457)

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 the 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.