

NO. 12-20-00152-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*JEREMY MING,  
APPELLANT*

§ *APPEAL FROM THE 294TH*

*V.*

§ *JUDICIAL DISTRICT COURT*

*S & M ACQUISITIONS &  
DEVELOPMENT, INC.,  
APPELLEE*

§ *VAN ZANDT COUNTY, TEXAS*

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*MEMORANDUM OPINION  
PER CURIAM*

This appeal is being dismissed for want of prosecution. *See* TEX. R. APP. P. 42.3(b). Appellant, Jeremy Ming, perfected this appeal on June 12, 2020. The clerk's record was filed on August 11 and Ming's brief was due on or before September 10. On September 25, this Court notified Ming that the brief was past due. We further notified Ming 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 October 5.

The October 5 deadline has passed and Ming has not filed a brief, a motion for leave to file a late 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 October 14, 2020.

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



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

OCTOBER 14, 2020

NO. 12-20-00152-CV

**JEREMY MING,**

Appellant

V.

**S & M ACQUISITIONS & DEVELOPMENT, INC.,**

Appellee

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Appeal from the 294th District Court  
of Van Zandt County, Texas (Tr.Ct.No. 20-00104)

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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.*