

**NO. 12-20-00155-CV**  
**IN THE COURT OF APPEALS**  
**TWELFTH COURT OF APPEALS DISTRICT**  
**TYLER, TEXAS**

***MUKHTAR S. MUTTI,  
APPELLANT***

***§ APPEAL FROM THE***

***V.***

***§ COUNTY COURT AT LAW***

***SPENCER DISTRIBUTING, LLP,  
APPELLEE***

***§ ANDERSON COUNTY, TEXAS***

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***MEMORANDUM OPINION  
PER CURIAM***

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This appeal is being dismissed for want of prosecution. *See* TEX. R. APP. P. 42.3(b). Appellant, Mukhtar S. Mutti, perfected this appeal on July 13, 2020. The clerk's record was filed on July 17 and Mutti's brief was due on or before August 17. On August 25, this Court notified Mutti that the brief was past due. We further notified Mutti 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 September 4.

The September 4 deadline has passed and Mutti 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. 12-20-00155-CV**

**MUKHTAR S. MUTTI,**  
Appellant  
V.  
**SPENCER DISTRIBUTING, LLP,**  
Appellee

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Appeal from the County Court at Law  
of Anderson County, Texas (Tr.Ct.No. 13404)

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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.*