

Dismissed and Opinion filed January 27, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-00396-CV

MARC IVAN BERENS AND THE BERENS CORPORATION, Appellants

V.

RESORT SUITES-SCOTTSDALE, INC., Appellee

**On Appeal from the 165th District Court
Harris County, Texas
Trial Court Cause No. 94-46884**

OPINION

This is an appeal from a judgment signed January 15, 1999. The clerk's record was filed on April 30, 1999. The reporter's record was filed on May 14, 1999. No brief was filed.

On January 11, 2000, appellee filed a motion to dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 42.3(b).

Appellants' response demonstrates no reasonable explanation for failure to timely file appellants' brief.

Appellee's motion is granted. Accordingly, the appeal is ordered dismissed.

/s/ John S. Anderson
 Justice

Judgment rendered and Opinion filed January 27, 2000.

Panel consists of Justices Amidei, Anderson, and Frost. (J. Amidei, dissenting without opinion).

Do Not Publish — TEX. R. APP. P. 47.3(b).