

**Dismissed and Opinion filed July 6, 2000.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-97-01142-CV**

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**PAUL B. BRADY, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 215<sup>th</sup> District Court  
Harris County, Texas  
Trial Court Cause No. 95-45773**

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**O P I N I O N**

This an appeal from a judgment signed June 26, 1997. Appellant's brief was originally due on June 15, 1998. Appellant, a pro se inmate, complained that certain exhibits were missing from the record. While awaiting delivery of these exhibits, numerous extensions of time to file appellant's brief were granted. Appellant received the exhibits, and this court granted three more extensions of time to file his brief, the last of which indicated no further extensions would be permitted and made his brief due on January 6, 2000. No brief or motion for extension of time was filed and, on February 3, 2000, appellant was sent a notice of our intent to dismiss the appeal for want of prosecution. Appellant responded to this notice with a motion for extension, complaining that he had been hospitalized and unable to prepare his brief.

Afterwards, we granted another extension of time and required the brief to be filed before April 3, 2000. Appellant failed to comply with this order. Soon after, we notified appellant that if no response telling the court why his appeal should be continued was filed on or before May 15, 2000, his appeal would be dismissed for want of prosecution. Appellant did not file such a response. Accordingly, because appellant failed to timely file a brief and has not explained the failure to do so, we dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1); *Elizondo v. City of San Antonio*, 975 S.W.2d 61, 63 (Tex. App.–San Antonio 1998, no pet.).

PER CURIAM

Judgment rendered and Opinion filed July 6, 2000.

Panel consists of Senior Justices Bill Cannon, Joe L. Draughn, and Norman Lee.\*

Do Not Publish — TEX.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

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\* Senior Justice Bill Cannon, Joe L. Draughn and Norman Lee sitting by assignment.