

Dismissed and Opinion filed December 14, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-01174-CV

**C.A. WALKER, INC. & TRAVELERS CASUALTY
AND SURETY COMPANY OF AMERICA, Appellants**

V.

D & H MASONRY, Appellee

**On Appeal from the County Civil Court at Law No. 1
Harris County, Texas
Trial Court Cause No. 720,719**

O P I N I O N

This is an appeal from a judgment signed June 9, 2000. On October 12, 2000, this Court ordered the parties to mediate. The Court ordered the parties to agree on a mediator or each name two acceptable mediators. The parties did not comply. On November 2, 2000, the Court again ordered the parties to select a mediator and warned that the Court would consider dismissal or other sanctions for failure to comply. The parties filed no response.

On November 28, 2000, notification was transmitted to all parties of the Court's intent to dismiss the appeal for failing to comply with this court's order of November 2, 2000, which

ordered the parties to agree on a mediator and each name two acceptable mediators. *See* TEX. R. APP. P. 42.3(c). Appellant filed no response.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed December 14, 2000.

Panel consists of Chief Justice Murphy, Justices Amidei and Hudson.

DO NOT PUBLISH - TEX. R. APP. P. 47.3(b).