

Opinion issued June 18, 2020



In The  
**Court of Appeals**  
For The  
**First District of Texas**

---

NO. 01-19-00189-CV

---

**RAMESH KAPUR, Appellant**  
V.  
**HARRIS COUNTY, Appellee**

---

---

**On Appeal from the 295th District Court**  
**Harris County, Texas**  
**Trial Court Case No. 2014-44018**

---

---

**MEMORANDUM OPINION**

On August 20, 2019, the Court issued an opinion dismissing this appeal for want of prosecution because appellant, Ramesh Kapur, neither established indigence nor paid, or made arrangements to pay, the fee for preparing the clerk's record. *See* TEX. R. APP. P.37.3(b). On September 4, 2019, appellant filed a motion for rehearing

requesting that we withdraw the dismissal and reinstate his appeal. Appellant's motion indicated that he had since paid the fee for the clerk's record. The clerk's record was subsequently filed with the Court on August 30, 2019. On October 15, 2019, we granted appellant's motion for rehearing and reinstated the appeal. Appellant's brief was ordered to be filed within 30 days of our order. *See* TEX. R. APP. P. 38.6(a) (governing time to file brief).

Following reinstatement of the appeal, however, appellant failed to file his brief as ordered. On November 18, 2019, the Clerk of this Court notified appellant that the time to file his brief had expired and that the Court might dismiss the case for want of prosecution unless appellant filed his brief or an extension motion within 10 days. *See* TEX. R. APP. P 38.8(a) (governing failure of appellant to file brief). On January 31, 2020, appellant filed a motion requesting an extension of time to file his brief. We granted the motion and extended the deadline to February 12, 2020 with no further extensions. On February 26, 2020, after appellant again failed to file his brief, the Clerk of this Court sent another notice informing appellant that the time to file his brief had expired and that the Court might dismiss the case for want of prosecution. On February 28, 2020, appellant filed another extension motion. Despite our prior order stating that no further extensions would be granted, we granted appellant a final extension to April 22, 2020. Our order again provided that no further extensions would be granted and additionally informed appellant that

“[t]his appeal may be dismissed for want of prosecution unless appellant files his brief on or before April 22, 2020.” Appellant again failed to file a brief.

Accordingly, we dismiss the appeal for want of prosecution for failure to timely file a brief. *See* TEX. R. APP. P. 42.3(b) (allowing involuntary dismissal of case). We dismiss any pending motions as moot.

**PER CURIAM**

Panel consists of Justices Lloyd, Landau, and Countiss.