

Dismissed and Opinion filed January 6, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-00709-CV

JAMES HOLLEY, Appellant

V.

SHAUNA LEFEBVRE, Appellee

**On Appeal from the County Civil Court At Law No. 1
Harris County, Texas
Trial Court Cause No. 652,581**

OPINION

This is an appeal from a judgment signed May 21, 1999. On August 5, 1999, this Court ordered the parties to mediation and ordered that mediation be completed within sixty days. The deadline to complete mediation was extended to November 5, 1999. The parties did not notify the Court that they had completed mediation by the deadline. Accordingly, on November 18, 1999, the Court again ordered the parties to complete mediation by December 17, 1999. In that order, the Court notified the parties that failure to comply with the order could result in dismissal of the appeal or other sanctions.

On December 17, 1999, appellee filed a certificate with this Court stating that her counsel made numerous efforts to schedule this mediation for dates and times convenient to appellant and the mediator. Appellant's counsel asked to postpone the first scheduled date because he was unable to reach his client. Mediation was rescheduled for November 23, 1999. That day, appellant's counsel again notified appellee and the mediator that appellant would not be present. Appellee was required to pay the mediator's fee. As of December 17, 1999, mediation had not been rescheduled.

On December 20, 1999, 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 18, 1999, which ordered the parties to complete mediation by December 17, 1999. *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 January 6, 2000.

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

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