

**BEFORE THE BOARD OF DISCIPLINARY APPEALS**  
**Appointed By**  
**THE SUPREME COURT OF TEXAS**

**NAZIR CHARANIA**

**v.**

**THOMAS R. ADKINS**

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**CAUSE NO. 33096**

**ORDER DISMISSING APPEAL FOR WANT OF PROSECUTION**

On this day, came on to be heard, the Board of Disciplinary Appeals' own motion to dismiss the above appeal filed by Nazir Charania, for want of prosecution. After reviewing the papers filed in the matter, the Board finds that the Commission for Lawyer Discipline of the State Bar of Texas ("CDC") filed its appeal on July 30, 2004. The Appellant filed his notice of appeal on August 3, 2004. The CDC withdrew its appeal on August 17, 2004. The clerk's record and the reporter's record from the evidentiary hearing were due to be filed on or before August 30, 2004. The CDC filed the clerk's record with the Board on August 27, 2004. The Appellant did not file the reporter's record. The Appellant's brief was due on or before September 30, 2004. The Appellant's brief has not been filed, and Appellant has not requested an extension of time to file his brief. An Order to Show Cause was issued on December 28, 2004, giving the Appellant thirty (30) days to show cause why the appeal should not be dismissed for want of prosecution. The Appellant responded with a request that his appeal not be dismissed and an explanation that he cannot afford to pay the cost of the reporter's record. No affidavit of indigency was filed nor has any other action been taken by the Appellant to pursue this appeal. The Appellant has not shown good cause why this appeal should not be dismissed for want of prosecution.

**IT IS THEREFORE ORDERED** that this appeal is hereby **DISMISSED** for want of prosecution, with prejudice to refile.

**SIGNED** this 24th day of February 2005.

  
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CHAIRMAN PRESIDING