

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

**DONALD G. MACPHAIL**

v.

**COMMISSION FOR  
LAWYER DISCIPLINE OF THE  
STATE BAR OF TEXAS**

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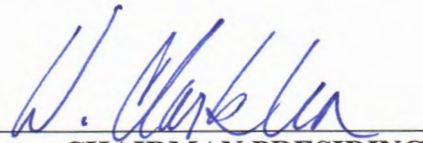
**CAUSE NO. 48194**

**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 Donald G. Macphail for want of prosecution. After reviewing the papers filed in the matter, the Board finds that the Appellant filed the notice of appeal on February 22, 2011. The clerk's record and the reporter's record from the evidentiary hearing were due to be filed on or before March 24, 2011. The Office of the Chief Disciplinary Counsel of the State Bar of Texas ("CDC") filed the clerk's record with the Board on March 17, 2011. The Appellant did not file the reporter's record. The Appellant's brief was due on or before April 23, 2011. The Appellant's brief has not been filed, and Appellant has not requested an extension of time to file his brief. This Board issued an Order to Show Cause to Appellant on June 9, 2011, giving Appellant 30 days to respond and show cause as to why this appeal should not be dismissed for want of prosecution. The Appellant did not respond.

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

SIGNED this 25<sup>th</sup> day of July 2011.

  
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**CHAIRMAN PRESIDING**