

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

RANDALL B. MILLER

v.

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

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CAUSE NO. 39950

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 Randall B. Miller State Bar of Texas cause number D0070527257, BODA Cause No. 39950 for want of prosecution. After reviewing the papers filed in the matter, the Board finds that the Appellant filed the notice of appeal on May 11, 2007. The clerk's record and the reporter's record from the evidentiary hearing were due to be filed on or before June 9, 2007. The Office of the Chief Disciplinary Counsel of the State Bar of Texas ("CDC") filed the clerk's record with the Board on June 6, 2007. The reporter's record has not been filed. The Appellant's brief was due on July 11, 2007. The Appellant's brief has not been filed, and Appellant has not requested an extension of time to file his brief.

An Order Show Cause was issued on November 29, 2007 giving the Appellant thirty (30) days to show cause why the appeal should not be dismissed for want of prosecution. The Appellant responded by letter with the statement that he did not have the resources to continue his appeal.

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

SIGNED this 10th day of January 2008.



CHAIRMAN PRESIDING