

DISMISS; Opinion filed October 10, 2012

**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-10-01610-CV

EARTH ENERGY UTILITY CORPORATION, Appellant

V.

**ENVIRONMENTALLY ENGINEERED EQUIPMENT, INC.
AND DOYLE A. REVIS, Appellees**

**On Appeal from the County Court at Law No. 3
Dallas County, Texas
Trial Court Cause No. CC-09-08147**

MEMORANDUM OPINION

Before Chief Justice Wright and Justices Francis and Lang-Miers
Opinion By Chief Justice Wright

On June 4, 2012, the Court granted the agreed motion to withdraw filed by counsel for appellant. We instructed appellant to notify this Court of the name, State Bar Number, address, and telephone number of new counsel. By order dated June 28, 2012, the Court granted appellant a forty-five day extension of time to provide this Court with the information regarding new counsel. In that order, the Court cautioned appellant that failure to provide the information regarding new counsel within the time specified would result in dismissal of the appeal. As of today's date, appellant has not provided the requested information.

A corporation may only appear in this Court through counsel. *See Kunstoplast of Am., Inc. v.*

Formosa Plastics Corp., 937 S.w.2d 455, 456 (Tex. 1996) (per curiam). Appellant has failed to notify the Court that it has retained counsel. For this reason, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(c).

CAROLYN WRIGHT
CHIEF JUSTICE

101610F.P05

**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

EARTH ENERGY UTILITY
CORPORATION, Appellant

No. 05-10-01610-CV V.

ENVIRONMENTALLY ENGINEERED
EQUIPMENT, INC. AND DOYLE A.
REVIS, Appellees

Appeal from the County Court at Law No. 3
of Dallas County, Texas. (Tr.Ct.No. CC-09-
08147).

Opinion delivered by Chief Justice Wright,
Justices Francis and Lang-Miers,
participating.

Based on the Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellees, Environmentally Engineered Equipment, Inc. and Doyle A. Revis, recover their costs of the appeal from appellant, Earth Energy Utility Corporation.

Judgment entered October 10, 2012.

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE