

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

**JAMES RICHARD CALLAHAN**

v.

**COMMISSION FOR LAWYER  
DISCIPLINE**

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**CAUSE NO. 31611**

**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 Appellant, James Richard Callahan, in State Bar of Texas cause number D0090219338; BODA Cause No. 31611 for want of prosecution.

After reviewing the papers filed in the matter, the Board finds that the notice of appeal was filed by the Appellant on January 21, 2004. The clerk 's record and the reporter 's record from the evidentiary hearing were due to be filed on or before February 20, 2004. The Office of the Chief Disciplinary Counsel of the State Bar of Texas ("CDC") filed the clerk 's record with the Board on February 17, 2004. The reporter 's record from the evidentiary hearing was not filed, nor did the Appellant request an extension of time to file the reporter 's record. Appellant's brief, which was due to be filed on March 20, 2004, was not filed, and Appellant did not request an extension of time to file his brief. An Order to Show Cause was issued on May 8, 2004, giving the Appellant thirty (30) days to show cause why the 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 12th day of July 2004.

  
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CHAIRMAN PRESIDING