**Order entered September 2, 2016**

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

**No. 05-16-00306-CV**

**ERIC DRAKE, Appellant**

**V.**

**STEPHEN WALKER, ET AL., Appellees**

**On Appeal from the County Court at Law No. 4**
**Dallas County, Texas**
**Trial Court Cause No. CC-13-06774-D**

## ORDER

Before the Court is appellant's letter dated August 30, 2016 requesting that the clerk's record be "updated." We construe appellant's letter as a motion to supplement the clerk's record. Appellant contends four vacation letters and an exhibit to his motion to reinstate are missing from the clerk's record. We **DENY** the motion with respect to the four vacation letters. The four letters are included in the clerk's record as follows:

1. August 10, 2015 letter is in volume 2 at page 313;
2. November 12, 2015 letter is in volume 2 at page 487;
3. November 20, 2015 letter is in volume 2 at page 488; and
4. December 22, 2015 letter is in volume 2 at page 505.

Appellant contends Exhibit D to his motion to reinstate is omitted from the clerk's record and that the exhibit is attached to his file-stamped copy of the motion. Attached to the motion to reinstate in the clerk's record is a page labeled "Exhibit 'D' Copy of Plaintiffs [sic] Medical Report." However, no medical report is attached. We **GRANT** the motion **to the extent** that we **ORDER** Dallas County Clerk John Warren to file, by **SEPTEMBER 16, 2016**, either (1) a supplemental clerk's record containing the motion to reinstate with the medical report attached to Exhibit D or (2) written verification that the motion to reinstate filed with the clerk's office contained the cover page for Exhibt D but not the actual exhibit - the medical report.

We **GRANT** appellant's August 29, 2016 "Motion to Stay Appeal and Time to File Original Brief" **to the extent** that we extend the deadline for appellant's brief to **MONDAY, NOVEMBER 7, 2016**.

We **DIRECT** the Clerk of this Court to send a copy of this order to Mr. Warren, appellant, and counsel for appellees.

/s/ CRAIG STODDART
JUSTICE