



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-24-00129-CV

Francine Suzette Bakabadio **BIYOU****DI**,
Appellant

v.

Ream Synarel Banhy **ZITHA**,
Appellee

From the 150th Judicial District Court, Bexar County, Texas
Trial Court No. 2023CI16321
Honorable Tina Torres, Judge Presiding

PER CURIAM

Sitting: Luz Elena D. Chapa, Justice
Irene Rios, Justice
Beth Watkins, Justice

Delivered and Filed: April 24, 2024

DISMISSED FOR LACK OF JURISDICTION

On February 21, 2024, appellant filed a pro se notice of appeal, appealing the trial court's December 26, 2023 order. A timely notice of appeal is necessary to invoke this court's jurisdiction. *See Sweed v. Nye*, 323 S.W.3d 873 (Tex. 2010); *Verburgt v. Dorner*, 959 S.W.2d 615, 616 (Tex. 1997); *see also* TEX. R. APP. P. 25.1(b) (providing appeal is perfected when notice of appeal is filed). Rules 26.1 and 26.3 of the Texas Rules of Appellate Procedure prescribe the time period during which a notice of appeal or a motion for extension of time to file a notice of appeal must be filed to perfect an appeal in a civil case. *See* TEX. R. APP. P. 26.1, 26.3. They provide when a

party does not file a timely post-judgment motion extending the appellate timetable, a notice of appeal is due thirty days after the judgment is signed or, with an extension motion, fifteen days after the deadline. *See id.* R. 26.1, 26.3. Because appellant did not file a timely post-judgment motion extending the appellate timetable, the notice of appeal was due no later than January 25, 2024, or February 9, 2024 with an extension of time. *See id.* R. 4.1(a), 26.1(a), 26.3.

Because the notice of appeal was untimely filed, and no motion for extension of time was filed, we ordered appellant to show cause by April 5, 2024 why this appeal should not be dismissed for lack of jurisdiction. No response has been filed.

Accordingly, this appeal is dismissed for lack of jurisdiction.

PER CURIAM