



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-21-00176-CV

JERALD H. MILLER SR., Appellant

v.

JERALD H. MILLER JR., Appellee

On Appeal from the 324th District Court
Tarrant County, Texas
Trial Court No. 324-691497-20

Before Sudderth, C.J.; Kerr and Walker, JJ.
Memorandum Opinion by Justice Walker

MEMORANDUM OPINION

Appellant Jerald H. Miller Sr. attempts to appeal from the trial court's order denying appellee Jerald H. Miller Jr.'s application for a family-violence protective order. Because Appellant's notice of appeal was untimely filed, we dismiss the attempted appeal for want of jurisdiction.

Appellee filed an application for a protective order against Appellant, but the trial court denied the application on February 25, 2021. Appellant filed a motion for new trial on April 6 and a notice of appeal on June 9. Because the motion for new trial was due no later than March 29 to extend the appellate timetable and because the notice of appeal was not filed within 45 days of the denial order, we notified Appellant that we questioned our jurisdiction; gave him an opportunity to provide a reasonable, verified explanation for the late new-trial motion and notice of appeal; and warned that we could dismiss his appeal. *See* Tex. R. Civ. P. 329b(a); Tex. R. App. P. 9.2(b)(2), 10.2, 26.1, 26.3, 42.3, 44.3. Appellant responded but did not satisfactorily explain the late filings. *See, e.g., Haddad v. Tri-Cnty. A/C & Heating, LLC*, No. 04-20-00407-CV, 2020 WL 5802960, at *1 (Tex. App.—San Antonio Sept. 30, 2020, no pet.) (per curiam) (mem. op.). Accordingly, we dismiss Appellant's attempted appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a); *see, e.g., Easley v. HSBC Bank USA, N.A.*, No. 02-19-00279-CV, 2019 WL 5996967, at *1–2 (Tex. App.—Fort Worth Nov. 14, 2019, pet. denied) (mem. op.); *Salazar v. Secot, Inc.*, No. 01-19-00160-CV,

2019 WL 3720630, at *1 (Tex. App.—Houston [1st Dist.] Aug. 8, 2019, no pet.) (per curiam) (mem. op.).

/s/ Brian Walker

Brian Walker
Justice

Delivered: July 22, 2021