



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-21-00045-CV

QUAN M. LACY, Appellant

V.

WILLIAM HULL, JR., Appellee

On Appeal from the 89th District Court
Wichita County, Texas
Trial Court No. DC89-CV2021-0605

Before Morriss, C.J., Burgess and Stevens, JJ.
Memorandum Opinion by Chief Justice Morriss

MEMORANDUM OPINION

Quan M. Lacy filed a timely pro se notice of appeal on April 13, 2021.¹ The clerk's record was filed on May 25, 2021. The original deadline for Lacy's appellate brief was June 24, 2021. When Lacy failed to meet the original deadline for filing his brief, we advised him that his brief was late and extended the briefing deadline until July 28, 2021. At Lacy's request, this Court further extended the deadline for filing his appellate brief until August 27, 2021.

On August 26, 2021, we received a document that purported to be Lacy's appellate brief. On August 30, 2021, we sent Lacy a letter explaining that, for numerous reasons, the document we received was inadequate to serve as a brief because it did not meet the requirements of Rule 38.1 of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 38.1. In our letter, we provided Lacy with a detailed explanation of why the document he provided to this Court failed to comply with Rule 38.1. We informed Lacy that, if he did not file a brief that complied with Rule 38.1 by September 30, 2021, this Court could dismiss the appeal.

On September 27, 2021, Lacy provided this Court with a second document that we construed as a revised brief. That document also failed to comply with the requirements of Rule 38.1. Because Lacy has failed to provide this Court with a brief meeting the requirements of Rule 38.1, Lacy's appeal is ripe for dismissal.²

¹Originally appealed to the Second Court of Appeals, this case was transferred to this Court by the Texas Supreme Court pursuant to Section 73.001 of the Texas Government Code. *See* TEX. GOV'T CODE ANN. § 73.001. We are unaware of any conflict between precedent of the Second Court of Appeals and that of this Court on any relevant issue. *See* TEX. R. APP. P. 41.3.

²Having provided Lacy with ample opportunity to file a proper brief in this matter, we are disinclined to provide Lacy with further direction on how to file a brief that complies with Rule 38.1 of the Texas Rules of Appellate

Pursuant to Rules 38.8 and 42.3 of the Texas Rules of Appellate Procedure, we dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 38.8, 42.3; *see also Running v. City of Athens*, No. 12-18-00047-CV, 2018 WL 2326775, at *1 (Tex. App.—Tyler, May 23, 2018, no pet.) (mem. op.) (per curiam).

Josh R. Morriss, III
Chief Justice

Date Submitted: October 12, 2021
Date Decided: October 13, 2021

Procedure. Moreover, we do not have the opposing party's brief and, therefore, cannot affirm upon that brief without examining the record. *See* TEX. R. APP. P. 38.8(a)(3).