



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-14-00326-CV

RONNIE ANDERSON,

Appellant

v.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE,

Appellee

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From the 12th District Court  
Walker County, Texas  
Trial Court No. 26514

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DISSENTING OPINION

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I respectfully dissent to the majority's dismissal of this appeal without affording the appellant an opportunity to cure the Chapter 14 deficiency. *See Ex parte N.C.*, --- S.W.3d ---, --- n.1, 2015 WL 525150, at \*3 n.1 (Tex. App.—Waco Jan. 22, 2015, no pet. h.) (Davis, J., dissenting).

I believe that the correct practice is to notify the appellant of the section 14.004 deficiency and allow the appellant an opportunity to cure the deficiency *before*

dismissal. See TEX. R. APP. P. 44.3; *Higgins v. Randall County Sheriff's Office*, 193 S.W.3d 898 (Tex. 2006); *Verburgt v. Dorner*, 959 S.W.2d 615, 616-17 (Tex. 1997).

REX D. DAVIS  
Justice

Delivered and filed March 19, 2015

