



**NUMBER 13-21-00076-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**JEFFREY F. ARCHER,**

**Appellant,**

**v.**

**MARK A. FINLAY,**

**Appellee.**

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**On appeal from the 23rd District Court  
of Matagorda County, Texas.**

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**MEMORANDUM OPINION**

**Before Justices Longoria, Hinojosa, and Tijerina  
Memorandum Opinion by Justice Longoria**

This cause is before the Court on its own motion. On March 30, 2021, appellant appeared pro se and filed a brief that was not in compliance with the Texas Rules of Appellate Procedure. On April 6, 2021, appellant filed a corrected brief. The amended brief failed generally to comply with the Texas Rules of Appellate Procedure. See TEX. R. APP. P. 9.4, 38.1.

On April 28, 2021, the Clerk of the Court notified appellant the corrected brief did not comply with Texas Rule of Appellate Procedure 9.4(c), 9.4 (d), 9.4(h), 9.4(j)(4), or 38.1(b, c, e, g, i, k). Appellant was directed to file an amended brief in compliance with the Texas Rules of Appellate Procedure within ten days of the date of the letter, and notified that if the Court received another brief that did not comply, the Court may strike the brief, prohibit appellant from filing another, and proceed as if appellant had failed to file a brief, under which circumstances the Court may affirm the judgment or dismiss the appeal. TEX. R. APP. P. 38.9(a), 42.3(b),(c). Appellant has failed to cure the defects in his first amended brief.

Pro se litigants are held to the same standards as licensed attorneys, and they must therefore comply with all applicable rules of procedure. *Mansfield State Bank v. Cohn*, 573 S.W.2d 181, 184-85 (Tex. 1978). If a party files a brief that does not comply with the Texas Rules of Appellate Procedure, and that party files an amended brief that likewise does not comply with the rules, the court may strike the brief, prohibit the party from filing another, and proceed as if the party had failed to file a brief. TEX. R. APP. P. 38.9(a). Pursuant to Texas Rule of Appellate Procedure 38.8(a), where an appellant has failed to file a brief, the appellate court may dismiss the appeal for want of prosecution.

Accordingly, we strike appellant's non-conforming brief and order the appeal dismissed for want of prosecution. See Tex. R. App. P. 42.3(b)(c).

NORA LONGORIA  
Justice

Delivered and filed on the  
26th day of August, 2021.