



**NUMBER 13-23-00099-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**PETRA LATRICE BERRY AND  
LORETHA WHITE,**

**Appellants,**

**v.**

**LASHONDA WHITE, DEPENDENT  
ADMINISTRATRIX OF THE ESTATE  
OF DONALD WAYNE BRATCHER,**

**Appellee.**

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

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**MEMORANDUM OPINION**

**Before Justices Tijerina, Silva, and Peña  
Memorandum Opinion by Justice Peña**

On February 1, 2023, Petra Latrice Berry and Loretha White filed a notice of appeal. The Clerk of this Court notified appellants that their notice of appeal did not

comply with Texas Rule of Appellate Procedure 25.1(d)(1) and 25.1(d)(4) and directed appellants to correct these defects. See TEX. R. APP. P. 25.1(d)(1) (requiring the notice of appeal to “identify the trial court and state the case’s trial court number and style”); *id.* R. 25.1(d)(4) (requiring the notice of appeal to “state the court to which the appeal is taken”). On April 18, 2023, the Clerk again advised appellants that their notice of appeal was defective, requested correction of the defects, and informed appellants that the appeal would be dismissed if the defects were not corrected. See *id.* R. 42.3.

On April 28, 2023, appellants filed an amended notice of appeal which corrected these defects. However, on May 3, 2023, the Clerk advised appellants that their amended notice of appeal bore the wrong trial court cause number, PR17-0101, advised them that the correct cause number was PR17-0101-A, and directed them to file a corrected notice of appeal. Appellants did not do so.

On June 13, 2023, the Clerk again notified appellants that their notice of appeal bore the wrong cause number, advised them to file a corrected notice of appeal, and informed them that the appeal would be dismissed if the defect were not corrected within ten days. Appellants did not file a corrected notice of appeal.

This Court has the authority to dismiss an appeal because the appellant has failed to comply with a requirement of the appellate rules, a court order, or a notice from the clerk requiring a response or other action within a specified time. See *id.* R. 42.3(b), (c); *Smith v. DC Civil Constr., LLC*, 521 S.W.3d 75, 76 (Tex. App.—San Antonio 2017, no pet.). Here, appellants have not filed a corrected notice of appeal. We further note that appellants have not secured the filing of either a clerk’s record or a reporter’s record. Based on the foregoing, we dismiss this appeal. See TEX. R. APP. P. 42.3(b), (c).

L. ARON PEÑA JR.  
Justice

Delivered and filed on the  
13th day of July, 2023.