

AFFIRMED; Opinion Filed February 3, 2016.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-14-01558-CV

IN THE INTEREST OF A.S., A CHILD

**On Appeal from the 219th Judicial District Court
Collin County, Texas
Trial Court Cause No. 219-54376-2014**

MEMORANDUM OPINION

Before Justices Fillmore, Myers, and Whitehill
Opinion by Justice Myers

The child's Mother brings this appeal from the trial court's order in this suit affecting the parent-child relationship. Because Mother does not bring any issues this Court can review, we affirm the trial court's judgment.

The Office of the Attorney General brought suit against the child's Father, an Illinois resident, asking that the court appoint conservators for the child and order appropriate child and medical support. Subsequently, the trial court entered an order appointing the parents to be the child's joint managing conservators. The trial court determined Father's gross monthly resources were \$2,600, and his net monthly resources were \$2,090.79. The court ordered Father to pay child support of \$335 per month and medical support of \$85 per month. The court also granted judgment of \$5,360 against Father for retroactive child support. The order states that the parties waived the recording of the proceedings with the court's consent. Mother timely filed a notice of appeal from the trial court's judgment.

Mother is pro se before this Court. We liberally construe pro se pleadings and briefs. *Washington v. Bank of N.Y.*, 362 S.W.3d 853, 854 (Tex. App.—Dallas 2012, no pet.). However, we hold pro se litigants to the same standards as licensed attorneys and require them to comply with applicable laws and rules of procedure. *Mansfield State Bank v. Cohn*, 573 S.W.2d 181, 184–85 (Tex. 1978); *Washington*, 362 S.W.3d at 854. To do otherwise would give a pro se litigant an unfair advantage over a litigant who is represented by counsel. *Shull v. United Parcel Serv.*, 4 S.W.3d 46, 53 (Tex. App.—San Antonio 1999, pet. denied).

Mother filed a one-page brief on appeal stating she is dissatisfied with the amount of child support ordered. She asks this Court to investigate whether Father’s evidence of his earnings was accurate and to alter the amount of child support accordingly.

Mother asks us to reverse the trial court’s judgment based on information outside the appellate record. This Court’s review of the case is limited to the appellate record. “The appellate record consists of the clerk’s record and, if necessary to the appeal, the reporter’s record.” TEX. R. APP. P. 34.1. We cannot consider any materials outside the appellate record. *See In re M.M.*, No. 07-13-00175-CV, 2013 WL 5460025, at *1 (Tex. App.—Amarillo Sept. 30, 2013, no pet.) (mem. op.); *In re D.J.R.*, 319 S.W.3d 759, 772 (Tex. App.—El Paso 2010, pet. denied). Accordingly, this Court cannot conduct an investigation into Father’s income.

To the extent Mother contends the evidence is legally or factually insufficient to support the trial court’s determination of Father’s monthly resources, it appears the associate judge held an evidentiary hearing on the determination of Father’s resources and that the parties waived the recording of the hearing. When the parties do not bring forward a reporter’s record, we must presume the evidence admitted at trial supports the trial court’s order. *See Favaloro v. Comm’n for Lawyer Discipline*, 994 S.W.2d 815, 820 (Tex. App.—Dallas 1999, pet. struck). With no

reporter's record of the evidentiary hearing, we must presume that the evidence submitted at trial supports the trial court's determination of Father's resources.

We affirm the trial court's judgment.

/Lana Myers/
LANA MYERS
JUSTICE

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

IN THE INTEREST OF A.S., a Child

No. 05-14-01558-CV

On Appeal from the 219th Judicial District
Court, Collin County, Texas
Trial Court Cause No. 219-54376-2014.
Opinion delivered by Justice Myers. Justices
Fillmore and Whitehill participating.

In accordance with this Court's opinion of this date, the judgment of the trial court is **AFFIRMED**.

It is **ORDERED** that appellees The State of Texas and Jose Juventino Suarez recover their costs of this appeal, if any, from appellant Nora Zarate.

Judgment entered this 3rd day of February, 2016.