

Dismissed and Opinion Filed August 22, 2017



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-16-01134-CV

FELICIA ALLEN, Appellant
V.
DALLAS INDEPENDENT SCHOOL DISTRICT, Appellee

On Appeal from the 298th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-14050

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Francis, and Justice Stoddart
Opinion by Chief Justice Wright

Pro se appellant Felicia Allen appeals from the trial court's judgment granting appellee's no evidence motion for summary judgment on her claim stemming from a work-related injury. On April 14, 2017, appellant filed a brief. On April 25, 2017, the Court sent a letter to appellant directing her to file an amended brief because the brief she filed did not satisfy the requirements of Rule 38 of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 38.1. We subsequently granted appellant three extensions of time to amend her brief. After appellant requested a fourth extension, we ordered appellant to file her amended brief by June 5, 2017. We cautioned appellant that failure to do so would result in the appeal being submitted on her deficient brief. Appellant did not comply.

A civil litigant has the right to represent herself at trial and on appeal. *Bolling v. Farmers Branch Indep. Sch. Dist.*, 315 S.W.3d 893, 895 (Tex. App. — Dallas 2010, no pet.). The right of self-representation on appeal carries with it the duty to adhere to the rules of appellate procedure. *Id.* Pro se appellants are held to the same standard as licensed attorneys. *See Strange v. Cont'l Cas. Co.*, 126 S.W.3d 676, 677 (Tex. App. — Dallas 2004, pet. denied). Our rules of appellate procedure have specific requirements for the contents of all briefs accepted by the courts. *See* TEX. R. APP. P. 38. Among other requirements, the rules require appellants to state concisely their complaints; provide understandable, succinct, and clear argument showing why their complaints are meritorious in fact and in law; cite and apply applicable law; and provide appropriate references to the record. *See* TEX. R. APP. P. 38.1 (f-i); *Bolling*, 315 S.W.3d at 895. When determining whether a particular brief is deficient, we do not adhere to rigid rules, but rather examine the brief for compliance with the rules of appellate procedure. *Bolling*, 315 S.W.3d at 895. Only after receiving adequate briefing may we go on to review the merits of the appeal. *Id.* If an appellant fails to provide adequate briefing, we may dismiss the appeal. *See* TEX. R. APP. P. 42.3; *Bolling*, 315 S.W.3d at 895-96.

In challenging the no-evidence summary judgment, appellant summarizes what appears to be treatment notes concerning her work-related injury and argues these notes support her claim. However, in making this argument she fails to cite to the record where the notes can be found. Additionally, appellant fails to provide any citations to authority in support of her argument. *See* TEX. R. APP. P. 38.1(i). It is not the duty of the Court to comb through the record for facts favorable to appellant's position. *See Fredonia State Bank v. Gen. Am. Life Ins. Co.*, 881 S.W.2d 279, 283-84 (Tex. 1994); *Bolling*, 315 S.W.3d at 895. Nor is the Court responsible for finding legal authorities to support appellant's contentions. *See Bolling*, 315 S.W.3d at 895.

To provide appellant with the legal authority missing from her brief would transform the Court from its role as judge to a role as advocate for appellant. *See id.*

Because appellant has failed to cite to the record and relevant legal authorities, her brief presents nothing for us to review. *See id.* at 896, 897. Accordingly, we dismiss the appeal. *See id.* at 897.

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

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

JUDGMENT

FELICIA ALLEN, Appellant

No. 05-16-01134-CV V.

DALLAS INDEPENDENT SCHOOL
DISTRICT, Appellee

On Appeal from the 298th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DC-15-14050.

Opinion delivered by Chief Justice Wright,
Justices Francis and Stoddart participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

Judgment entered this 22nd day of August, 2017.