

Dismissed; Opinion Filed September 13, 2017.



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

No. 05-16-01234-CV

MARY H. HARRIS, Appellant

V.

OLUYINKA O. OGUNNEYE, Appellee

**On Appeal from the 302nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-15-02850**

MEMORANDUM OPINION

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

On January 23, 2017, this Court sent a letter to appellant informing her that her original brief was deficient and failed to comply with the requirements of rule 38 of the Texas Rules of Appellate Procedure. Those deficiencies are as follows: (1) a table of contents with references to the pages of the brief and an indication of the subject matter of each issue, point, or group of issues or points; (2) an index of authorities arranged alphabetically and an indication of the pages of the brief where the authorities are cited; (3) a concise statement of the case, the course of proceedings, and the trial court's disposition of the case supported by record references; (4) a concise statement of all issues or points presented for review; (5) a concise statement of the facts supported by record references; (6) a succinct, clear, and accurate statement of the arguments made in the body of the brief; (7) the argument did not contain appropriate citations to

authorities; (8) and the argument did not contain appropriate citations to the record. *See* TEX. R. APP. P. 38.1. We also noted that the brief did not contain a proper certificate of compliance and a proper certificate of service. *See* TEX. R. APP. P. 9.5. In addition, one or more of the following was omitted from the appendix: The trial court’s judgment; the jury charge and verdict, if any, or the trial court’s findings of fact; the text of any rule, regulation, ordinance, statute, constitutional provision, or other law (excluding case law) on which the argument is based; and the text of any contract or other document that is central to the argument. *See* TEX. R. APP. P. 38.1(k).

Our letter directed appellant to file an amended brief that complied with the rules of appellate procedure within ten days of the date of our letter. We specifically advised appellant that “[f]ailure to file an amended brief that complies with the Texas Rules of Appellate Procedure within 10 days of the date of this letter may result in dismissal of this appeal without further notice from the Court. *See* TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c).” As of the date of this opinion, appellant has not filed an amended brief.

We hold pro se litigants to the same standards as licensed attorneys and require them to comply with applicable laws and rules of procedure. *See Bolling v. Farmers Branch Indep. Sch. Dist.*, 315 S.W.3d 893, 895 (Tex. App.—Dallas 2010, no pet.). Our appellate rules have specific briefing rules that require an appellant to provide a concise statement of the issues or points presented for review; a concise statement of the facts supported by record references; a succinct, clear and accurate statement of the arguments made in the brief; and a clear and concise argument for the contentions made, with appropriate citations to authorities and to the record. *See* TEX. R. APP. P. 38.1(f), (g), (h), (i); *Bolling*, 315 S.W.3d at 895.

Because appellant has failed to comply with the briefing requirements of our appellate rules after having been directed to do so, we dismiss the appeal.

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/Lana Myers/
LANA MYERS
JUSTICE



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

JUDGMENT

MARY H. HARRIS, Appellant

No. 05-16-01234-CV V.

OLUYINKA O. OGUNNEYE, Appellee

On Appeal from the 302nd Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DF-15-02850.

Opinion delivered by Justice Myers. Justices
Francis and Whitehill participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**. It is **ORDERED** that each party bear its own costs of this appeal.

Judgment entered this 13th day of September, 2017.