

**DISMISSED and Opinion Filed August 15, 2017**



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

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**No. 05-17-00150-CV**

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**SHEINA POPE, Appellant**

**V.**

**PRUDENTIAL INVESTMENT MANAGEMENT, INC. D/B/A PRUDENTIAL REAL  
ESTATE INVESTORS, MGHERRING GROUP, INC., DILLARD'S, INC. D/B/A  
DILLARD'S DEPARTMENT STORES, INC., TRADEMARK PROPERTY COMPANY,  
XENCOM, INC. D/B/A XENCOM FACILITY MANAGEMENT, Appellees**

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**On Appeal from the County Court at Law No. 3  
Dallas County, Texas  
Trial Court Cause No. CC-15-06123-C**

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**MEMORANDUM OPINION**

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

Pro se appellant Sheina Pope appeals the trial court's judgment granting appellees' motion for summary judgment on her premises liability claim. On June 2, 2017, appellant filed a brief. By letter dated June 20, 2017, the Clerk of this Court advised appellant that her brief did not satisfy the requirements of Texas Rule of Appellate Procedure 38 and specified numerous deficiencies. The notice also advised her that the "[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). To date, appellant has not filed an amended brief.

Although individuals have the right to represent themselves as pro se litigants in civil cases, they are required to follow the same rules of appellate procedure that licensed attorneys are required to follow. *See Bolling v. Farmers Branch Indep. Sch. Dist.*, 315 S.W.3d 893, 895 (Tex. App.—Dallas 2010, no pet.). These rules require an appellant’s brief to state concisely the appellant’s complaint; provide understandable, succinct, and clear argument for why the complaint has merit in fact and in law; cite and apply applicable law; and provide appropriate references to the record. *See id* at 894 (citing TEX. R. APP. P. 38.1(f), (h-i)). A brief fails if it does not articulate the issues to be answered by the court. *Id.* If a brief articulates the issues to be decided by the court, the brief must “guide [the court] through the appellant’s argument with clear and understandable statements of the contentions being made.” *Id.* Appellant’s argument must make direct references to facts in the record and applicable legal authority, or the brief fails. *Id.* When deciding whether a filed brief is deficient, we do not adhere to rigid rules, but rather examine the brief for compliance with the rules of appellate procedure. *Id.* We can only move forward to review the merits of the appeal after receiving adequate briefing. *Id.* If an appellant fails to provide adequate briefing, we may dismiss the appeal. *See id.* at 895–96.

In her brief, appellant recites the facts and circumstances leading to the injuries that form the basis of her premises liability claim and list different “proofs” she has in support of her claim. She also complains of “repeated” continuances in the trial court, that she “received a new unprepared inexperienced counsel on the day before the trial,” and that all the facts were not heard. However, she fails to support her factual recitations with any references to the record. *See* TEX. R. APP. P. 38.1(g); *Bolling*, 315 S.W.3d at 896. She also fails to provide any argument for why her complaints have merit and fails to cite and apply law relevant to her complaint. *See* TEX. R. APP. P. 38.1(i); *Bolling*, 315 S.W.3d at 895. When the brief contains no argument or

lacks citation to the record or legal authority, it presents nothing for review. *See Bolling*, 315 S.W.3d at 897.

Although she was given the opportunity to file a brief complying with the rules, she has failed to do so. Accordingly, the appeal is dismissed. *See* TEX. R. APP. P. 42.3(f); *Bolling*, 315 S.W.3d at 897.

/Carolyn Wright/  
CAROLYN WRIGHT  
CHIEF JUSTICE

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

**JUDGMENT**

SHEINA POPE, Appellant

No. 05-17-00150-CV      V.

PRUDENTIAL INVESTMENT  
MANAGEMENT, INC. D/B/A  
PRUDENTIAL REAL ESTATE  
INVESTORS, MGHERRING GROUP,  
INC., DILLARD'S, INC. D/B/A  
DILLARD'S DEPARTMENT STORES,  
INC., TRADEMARK PROPERTY  
COMPANY, XENCOM, INC. D/B/A  
XENCOM FACILITY MANAGEMENT,  
Appellees

On Appeal from the County Court at Law  
No. 3, Dallas County, Texas  
Trial Court Cause No. CC-15-06123-C.  
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 August 15, 2017.