

Affirmed and Opinion Filed March 29, 2018



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

No. 05-17-00867-CV

IN THE INTEREST OF Z.D.W., A CHILD

**On Appeal from the 256th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-15-04242**

MEMORANDUM OPINION

Before Justices Bridges, Evans, and Whitehill
Opinion by Justice Whitehill

Iesha Edwards (Mother), challenges a modification order requiring that she pay child support for her son, for whom she and the child's grandmother are joint managing conservators.

Mother appeared pro se. In a prior order, we told Mother that her brief failed to comply with the requirements of Texas Rule of Appellate Procedure 38.1, identified ten deficiencies, and ordered her to file an amended brief.

Mother filed an amended brief, but corrected only four of the ten deficiencies. Specifically, the amended brief failed to: (i) include an index of authorities arranged alphabetically and indicating the pages of the brief where the authorities are cited, (ii) state concisely the nature of the case, the course of the proceedings, and the trial court's disposition of the case, with citations to the record, (iii) state concisely all issues or points presented for review, (iv) state concisely and without argument the facts pertinent to the issues or points presented, (v) make a clear and concise argument for the contentions made, with appropriate citations to the record, and (vi) include an

appendix with the trial court's judgment. In addition, the brief cited no legal authority to support the arguments. *See* TEX. R. APP. P. 38.1.

We construe liberally pro se pleadings and briefs; 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). The law is settled that, to present an issue to this Court, a party's brief shall contain, among other things, a concise, nonargumentative statement of the facts of the case, supported by record references, and a clear and concise argument for the contention made with appropriate citations to authorities and the record. TEX. R. APP. P. 38.1; *McIntyre v. Wilson*, 50 S.W.3d 674, 682 (Tex. App.—Dallas 2001, pet. denied). Bare assertions of error, without argument or authority, waive error. *See Sullivan v. Bickel & Brewer*, 943 S.W.2d 477, 486 (Tex. App.—Dallas 1995, writ denied). When a party fails to adequately brief a complaint, she waives the issue on appeal. *Devine v. Dallas County*, 130 S.W.3d 512, 514 (Tex. App.—Dallas 2004, no pet.).

As described above, Mother's brief does not comply with Rule 38.1. *See* TEX. R. APP. P. 38.1. Therefore, her issues are forfeited for inadequate briefing. *See McIntyre*, 50 S.W.3d at 682. Moreover, the order about which Mother appears to complain states that the court conducted a de novo hearing at which Mother appeared and agreed to the terms of the order. Although the record reflects that a court reporter was present for the hearing, our record does not include a reporter's record. Thus, there is nothing to refute that Mother agreed to the order, nor is there a record from which we could determine whether the trial court erred.

Accordingly, we resolve Mother's issues against her and affirm the trial court's order.

/Bill Whitehill/

BILL WHITEHILL
JUSTICE



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

JUDGMENT

IN THE INTEREST OF Z.D.W., A
CHILD,

No. 05-17-00867-CV

On Appeal from the 256th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DF-15-04242.
Opinion delivered by Justice Whitehill.
Justices Bridges and Evans participating.

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

It is **ORDERED** that appellee recover her costs of this appeal from appellant.

Judgment entered March 29, 2018.