

DISMISS; and Opinion Filed October 26, 2018.



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

No. 05-18-01023-CV

IN THE INTEREST OF V.M.G., A CHILD

**On Appeal from the 255th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-18-10895**

MEMORANDUM OPINION

Before Justices Myers, Evans, and Brown
Opinion by Justice Brown

This appeal from the trial court's August 3, 2018 decree of divorce was filed September 5, 2018. Because no request for findings of fact and conclusions of law or motion for new trial or to modify the judgment was filed, the notice of appeal was due September 4, 2018 or, with an extension motion, September 19, 2018. *See* TEX. R. APP. P. 26.1, 26.3. The notice of appeal was filed September 5, 2018, but without an extension motion.

By letter dated September 17, 2018, we directed appellant to file, no later than September 27, 2018, an extension motion explaining why the notice of appeal had been filed late. *See id.* 10.5(b), 26.3(b). We cautioned appellant that the appeal could be dismissed without further notice if she failed to comply. *See* TEX. R. APP. P. 42.3(a); *Brashear v. Victoria Gardens of McKinney, L.L.C.*, 302 S.W.3d 542, 545 (Tex. App.—Dallas 2009, no pet.) (op. on reh'g) (timely filing of

notice of appeal is jurisdictional). To date, however, she has not complied or otherwise corresponded with the Court. Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a).

/Ada Brown/
ADA BROWN
JUSTICE

181023F.P05



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

JUDGMENT

IN THE INTEREST OF V.M.G., A CHILD

No. 05-18-01023-CV

On Appeal from the 255th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DF-18-10895.

Opinion delivered by Justice Brown,
Justices Myers and Evans participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

Judgment entered this 26th day of October, 2018.