

Dismissed; Opinion Filed January 9, 2020



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

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No. 05-18-01293-CV

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**VERONICA JOHNSON, Appellant**

**V.**

**THE HOUSING AUTHORITY OF THE CITY OF DALLAS, TEXAS, HIDDEN RIDGE,**  
**Appellee**

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**On Appeal from the County Court at Law No. 2**  
**Dallas County, Texas**  
**Trial Court Cause No. CC-18-05397-B**

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**MEMORANDUM OPINION**

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

This is a forcible detainer action. Following a bench trial, the county court at law determined appellee The Housing Authority of the City of Dallas, Texas, Hidden Ridge, had a superior right to possess the property at issue. Appellant Veronica Johnson, acting pro se, appeals the trial court's judgment. However, because appellant failed to provide the Court with a brief that complies with the rules of appellate procedure, we dismiss her appeal.

A pro se litigant is held to the same standards as licensed attorneys and must comply with applicable laws and rules of procedure. *Strange v. Cont'l Casualty Co.*, 126 S.W.3d 676, 677–78 (Tex. App.—Dallas 2004, pet. denied). Texas Rule of Appellate Procedure 38.1 provides the requirements for an appellant's brief. See TEX. R. APP. P. 38.1. "Only when we are provided with proper briefing may we discharge our responsibility to review the appeal and make a decision that

disposes of the appeal one way or the other.” *Bolling v. Farmers Branch Indep. Sch. Dist.*, 315 S.W.3d 893, 895 (Tex. App.—Dallas 2010, no pet.); see *Crenshaw v. Hous. Auth. of City of Dallas, Texas-Cliff Manor*, No. 05-18-00143-CV, 2019 WL 1486890, at \*2 (Tex. App.—Dallas Apr. 4, 2019, no pet.) (mem. op.). We are not responsible for identifying possible trial court error, for searching the record for facts that may be favorable to a party’s position, or for doing legal research that might support a party’s contention. See *Bolling*, 315 S.W.3d at 895. “Were we to do so, even for a pro se litigant untrained in law, we would be abandoning our rule as judges and become an advocate for that party.” *Id.*

We do not adhere to rigid rules about the form of briefing when deciding whether an appellant’s brief is deficient. We do, however, examine briefs for compliance with the briefing rules. After a close examination, if we can conclude a brief complies with the Texas Rules of Appellate Procedure, we submit the appeal for review and decision on the merits. If we cannot, we may dismiss the appeal as we are authorized to do by our appellate rules. TEX. R. APP. P. 42.3(c); *Bolling*, 315 S.W.3d at 895–96.

Appellant filed her brief on April 26, 2019. On October 28, 2019, the Court sent a letter to appellant informing her that her brief did not satisfy the requirements of Rule 38 and was deficient in the following respects: (1) it does not contain a complete list of all parties to the trial court’s judgment or appealable order with the names and addresses of all trial and appellate counsel; (2) it does not contain a table of contents with references to the pages of the brief; (3) the table of contents does not indicate the subject matter of each issue or point, or group of issues or points; (4) it does not contain an index of authorities arranged alphabetically and indicating the pages of the brief where the authorities are cited; (5) it does not contain a concise statement of the case, the course of proceedings, and the trial court’s disposition of the case supported by record references; (6) it does not concisely state all issues or points presented for review; (7) it does not

contain a concise statement of the facts supported by record references; (8) it does not contain a succinct, clear, and accurate statement of the arguments made in the body of the brief; (9) the argument does not contain appropriate citations to authorities and the record; (10) it does not contain a short conclusion that clearly states the nature of the relief sought; and (11) it does not contain a proper certificate of compliance or service. The letter also informed appellant the trial court's judgment was missing from the appendix to her brief. The letter concluded by stating: "Failure 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." Appellant did not file an amended brief.

Because appellant failed to comply with the briefing requirements of our appellate rules after being given the opportunity to do so, we dismiss the appeal.

/Erin A. Nowell/  
ERIN A. NOWELL  
JUSTICE

181293F.P05



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

**JUDGMENT**

VERONICA JOHNSON, Appellant

No. 05-18-01293-CV      V.

THE HOUSING AUTHORITY OF THE  
CITY OF DALLAS, TX HIDDEN RIDGE,  
Appellee

On Appeal from the County Court at Law  
No. 2, Dallas County, Texas  
Trial Court Cause No. CC-18-05397-B.  
Opinion delivered by Justice Nowell.  
Justices Bridges 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 9<sup>th</sup> day of January, 2020.