

**Dismiss; Opinion Filed October 1, 2020**



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

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**No. 05-19-00546-CV**

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**ARHONDA JONES, Appellant**

**V.**

**AMERICAN REAL ESTATE INVESTMENT, Appellee**

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**On Appeal from the County Court at Law No. 2  
Dallas County, Texas  
Trial Court Cause No. CC-18-06537-B**

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**MEMORANDUM OPINION**

Before Chief Justice Burns, Justice Molberg, and Justice Carlyle  
Opinion by Justice Carlyle

This is a forcible detainer action. Following a bench trial, the county court at law determined appellee American Real Estate Investment had a superior right to possess the property at issue. Appellant Arhonda Jones, proceeding pro se, requests that we reverse the trial court's judgment and render judgment in her favor. Because Ms. Jones failed to provide this Court with a brief that complies with the rules of appellate procedure, we dismiss her appeal in this memorandum opinion. *See* TEX. R. APP. P. 47.7.

A pro se litigant is held to the same standards as licensed attorneys and must comply with applicable laws and rules of procedure. *Searcy v. CitiMortgage, Inc.*, No. 05-18-01098-CV, 2019 WL 5615149, at \*1 (Tex. App.—Dallas Oct. 30, 2019, no pet.) (mem. op.) (citing *Strange v. Cont'l Cas. Co.*, 126 S.W.3d 676, 677–78 (Tex. App.—Dallas 2004, pet. denied)). Among other things, an appellant’s brief must contain an index of authorities indicating the pages of the brief where the authorities are cited, a concise statement of the facts supported by record references, a concise statement of all issues or points presented for review, and “a clear and concise argument for the contentions made, with appropriate citations to authorities and to the record.” TEX. R. APP. P. 38.1(c), (f), (g), (i). “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, Tex.-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. *Searcy*, 2019 WL 5615149, at \*1. We do, however, examine briefs for compliance with the briefing rules. *Id.* 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. *Id.* 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.

Ms. Jones initially filed her appellate brief on October 16, 2019. On October 28, 2019, this Court sent Ms. Jones a letter informing her that her brief did not satisfy appellate procedural requirements and was deficient because, among other things, (1) the brief did not contain an index of authorities arranged alphabetically and did not indicate the pages of the brief where the authorities were cited; (2) the brief did not contain a concise statement of the facts supported by record references and concisely state all issues or points presented for review; and (3) the argument did not contain appropriate citations to authorities or the record. *See* TEX. R. APP. P. 38.1(c), (f), (g), (i). This Court's letter stated, "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.” Ms. Jones timely filed an amended brief on November 6, 2019.<sup>1</sup>

Like her initial brief, Ms. Jones’s amended brief is deficient. The amended brief’s index of authorities contains only two case citations, neither of which describes an existing case that could be found by this Court. Those two purported cases are described as appearing on pages 76, 79, and 80 of the 13-page amended brief. The brief contains no citation or reference to the record<sup>2</sup> or any authority, does not state any issue describing or alleging error by the trial court, and contains no legal argument. *See* TEX. R. APP. P. 38.1(c), (f), (g), (i). Because Ms. Jones failed to comply with the briefing requirements of our appellate rules after being given the opportunity to do so, we dismiss her appeal. *See* TEX. R. APP. P. 42.3(c); *Bolling*, 315 S.W.3d at 895–96; *Searcy*, 2019 WL 5615149, at \*2.

/Cory L. Carlyle/  
CORY L. CARLYLE  
JUSTICE

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<sup>1</sup> This Court abated this appeal on March 30, 2020, in light of the Supreme Court of Texas’s March 19, 2020 Fourth Emergency Order Regarding the Covid-19 State of Disaster, which temporarily stayed all eviction proceedings. On May 19, 2020, the supreme court ordered that eviction proceedings may resume. Pursuant to this Court’s abatement order, this appeal was automatically reinstated at that time.

<sup>2</sup> No reporter’s record was filed in this appeal. After notice to Ms. Jones, this Court ordered the appeal submitted without a reporter’s record. *See* TEX. R. APP. P. 37.3(c).



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

**JUDGMENT**

ARHONDA JONES, Appellant

No. 05-19-00546-CV        V.

AMERICAN REAL ESTATE  
INVESTMENT, Appellee

On Appeal from the County Court at  
Law No. 2, Dallas County, Texas  
Trial Court Cause No. CC-18-06537-  
B.

Opinion delivered by Justice Carlyle.  
Chief Justice Burns and Justice  
Molberg participating.

In accordance with this Court's opinion of this date, the appeal is  
**DISMISSED.**

It is **ORDERED** that appellee American Real Estate Investment recover its  
costs of this appeal from appellant Arhonda Jones.

Judgment entered this 1st day of October, 2020.