

Dismiss and Opinion Filed January 21, 2022



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

No. 05-21-00550-CV

**MARCUS DON MOSELEY, Appellant
v.
PHYLLIS NOBLES MOSELEY, Appellee**

**On Appeal from the 303rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-19-22893**

MEMORANDUM OPINION

Before Justices Reichel, Nowell, and Carlyle
Opinion by Justice Nowell

Appellant filed his brief in this appeal on October 7, 2021. The brief did not comply with rule 38.1 of the Texas Rules of Civil Procedure. Among other things, appellant's three-page brief did not contain citations to the record, did not contain citations to authority, and did not contain any legal argument specifying how the trial court erred and why this Court should reverse the trial court's judgment. We notified appellant by letter that his brief was deficient and directed him to file an amended brief that complied with rule 38.1 within ten days. We cautioned appellant that failure to do so might result in the dismissal of this appeal without further notice. To date appellant has failed to do so.

Appellee has now filed a motion to dismiss the appeal, relying in part, on appellant's failure to file a brief compliant with rule 38.1. We grant appellee's motion and dismiss this appeal. *See* TEX. R. APP. P. 38.1; 38.8; 42.3 (b)(c).

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/Erin A. Nowell//

ERIN A. NOWELL
JUSTICE



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

JUDGMENT

MARCUS DON MOSELEY,
Appellant

No. 05-21-00550-CV V.

PHYLLIS NOBLES MOSELEY,
Appellee

On Appeal from the 303rd Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DF-19-22893.
Opinion delivered by Justice Nowell.
Justices Reichek and Carlyle
participating.

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

It is **ORDERED** that appellee PHYLLIS NOBLES MOSELEY recover her
costs of this appeal from appellant MARCUS DON MOSELEY.

Judgment entered this 21st day of January, 2022.