

Dismissed and Opinion Filed July 19, 2022



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

No. 05-22-00521-CV

IN THE INTEREST OF M.R., A CHILD

**On Appeal from the 417th Judicial District Court
Collin County, Texas
Trial Court Cause No. 417-30026-2019**

MEMORANDUM OPINION

Before Justices Partida-Kipness, Pedersen, III, and Nowell
Opinion by Justice Partida-Kipness

This is an appeal from an order striking appellant's petition in intervention in a child protection case. We questioned our jurisdiction over this appeal because it appeared to have been untimely filed. *See 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). The final judgment was signed March 22, 2022. Because an appeal in a child protection case is accelerated, the notice of appeal was due April 11, 2022 or, with an extension motion, April 26, 2022. *See* TEX. R. APP. P. 26.1(b) (accelerated appeals must be filed within twenty days of judgment); TEX. R. APP. P. 26.3 (providing for a fifteen-day extension of time for filing notice of appeal); TEX. R. APP. P. 28.4 (providing that appeals in child

protection cases are accelerated); *Smith v. City of Garland*, 523 S.W.3d 234, 239 (Tex. App.—Dallas 2017, no pet.) (order striking petition in intervention appealable upon rendition of final judgment). The notice of appeal, however, was not filed until April 28, 2022.

We requested jurisdictional briefing from appellant but nothing in appellant’s letter brief demonstrates the appeal was timely filed. Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a).

/Robbie Partida-Kipness/
ROBBIE PARTIDA-KIPNESS
JUSTICE

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

JUDGMENT

IN THE INTEREST OF M.R., A
CHILD

No. 05-22-00521-CV

On Appeal from the 417th Judicial
District Court, Collin County, Texas
Trial Court Cause No. 417-30026-
2019.

Opinion delivered by Justice Partida-
Kipness, Justices Pedersen, III and
Nowell participating.

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

Judgment entered July 19, 2022.