

Opinion issued February 17, 2011.



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NOS. 01-09-00950-CV *and*  
01-09-00960-CV

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**DAWN HERRIN AND OSCAR T. HERRIN, Appellants**

**V.**

**DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES, Appellee**

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**On Appeal from the 315th District Court  
Harris County, Texas  
Trial Court Cause Nos. 0709964J & 2009-13479**

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**MEMORANDUM OPINION**

On October 20, 2009, appellants Dawn Herrin and Oscar T. Herrin filed their notices appealing the denial of their petitions in intervention in the parental

termination proceeding and the adoption proceeding below. Since then, the Herrins have failed to comply with filing deadlines, timely pay filing fees, or timely secure the clerk's records and reporter's records, despite this Court's extensions of time and repeated notices concerning these required filings.

In appeal 01-09-00960-CV, we issued an opinion and judgment on June 17, 2010 dismissing their appeal for failure to pay the filing fees. After receiving notice of the dismissal, the Herrins paid the filing fees and moved this Court to reinstate the appeal, claiming that they would also make prompt arrangements to pay for the appellate record. To date, the Herrins have not paid for preparation of the record.

In appeal 01-09-00950-CV, we notified the Herrins that they had failed to timely file their brief, and we gave them until February 1, 2011 to file the brief along with a motion providing a reasonable explanation for the delay. The Herrins have not complied with or responded to this notice.

The Court warned the Herrins that, as a result of the repeated delays in both appeals, their appeals were subject to dismissal without further notice. Any further extension of time would be incompatible with the state's goal to prevent delay in resolving parental rights cases, where the best interests of children are at stake. *See, e.g.*, TEX. FAM. CODE ANN. § 263.405(h) (Vernon 2008) (in appeals of final

orders for children in state care, appellate court may not extend the time for filing record or appellate brief without showing of good cause); HOUSE COMM. ON JUVENILE JUSTICE AND FAMILY ISSUES, BILL ANALYSIS, TEX. H.B. 409, 79th Leg., R.S. 2005; *see also* TEX. FAM. CODE ANN. § 153.001(a)(2) (Vernon 2008) (“The public policy of this state is to . . . provide a safe, stable, and nonviolent environment for the child.”). We dismiss these appeals for want of prosecution.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Alcala and Bland.