

Opinion issued October 27, 2015



In The
Court of Appeals
For The
First District of Texas

NO. 01-14-00787-CV

KYNA HILL, Appellant

V.

TACO BELL, Appellee

**On Appeal from the 270th District Court
Harris County, Texas
Trial Court Case No. 2012-29455**

MEMORANDUM OPINION

Appellant, Kyna Hill, has filed a notice of appeal attempting to challenge the trial court's order dismissing her case for want of prosecution. The notice of appeal, however, does not contain a certificate of service, an acknowledgment of

service, or other proof that a copy of the notice was served on the other party to the trial court's order. *See* TEX. R. APP. P. 9.5(d), 25.1(e).

On June 9, 2015, we notified appellant that the appeal might be dismissed unless she provided proof of service on all parties. *See id.* 9.5(d), 42.3(c); *Peña v. McDowell*, 201 S.W.3d 665, 667 (Tex. 2006) (failure to show proof of service of notice of appeal on all parties proper ground for dismissal under Texas Rule of Appellate Procedure 9.5(d)). Appellant failed to respond.

Accordingly, we dismiss the appeal for failure to comply with a requirement of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3(c); *Hogg v. Builders Capital, Ltd.*, No. 12-14-00307-CV, 2014 WL 6982946, at *1 (Tex. App.—Tyler Dec. 10, 2014, no pet.) (mem. op.) (dismissing appeal for failure to comply with rules 9.5 and 25.1(e)); *Mancillas v. Mancillas*, No. 01-10-00674-CV, 2012 WL 587134, at *1 (Tex. App.—Houston [1st Dist.] Feb. 23, 2012, no pet.) (mem. op.) (dismissing appeal for failure to comply with rule 9.5). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Jennings, Higley, and Brown.