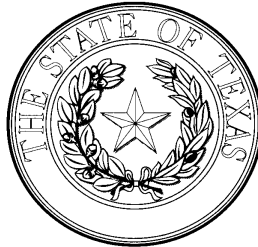


Opinion issued July 27, 2021



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00616-CV

STELLA D. SALMERON, Appellant

V.

ATASCOCITA FOREST COMMUNITY ASSOCIATION, Appellee

**On Appeal from the County Civil Court at Law No. 1
Harris County, Texas
Trial Court Case No. 1140217**

MEMORANDUM OPINION

On June 1, 2020, the trial court signed an order granting Atascocita Forest Community Association’s motion for summary judgment on the claims filed against it by Stella Salmeron (“Stella”) and Carlos Salmeron (“Carlos”). Carlos

and Stella, presumably husband and wife, attempt to appeal the trial court's summary judgment order. We dismiss the appeal for lack of jurisdiction.

On August 22, 2020, a notice of appeal was filed and signed pro se by Carlos. The notice of appeal states:

Notice is hereby give[n] that Stella D. Salmeron, in the above named case, hereby give[s] notice of appeal from Default Order or Summary Judgment Defendant Atascocita Forest Community Association, entered in this action on the 29th of May 2020.¹

The notice of appeal was filed only on behalf of Stella. This Court thus lacks jurisdiction over any purported appeal by Carlos, who never filed a notice of appeal on his own behalf. *Hunter v. Liberty Mut. Ins.*, No. 01-19-00418, 2020 WL 425295, *1 (Tex. App.—Houston [1st Dist.] Jan. 28, 2020) (mem. op.); TEX. R. APP. P. 25.1(a) (“An appeal is perfected when a written notice of appeal is filed with the trial court clerk.”).

We likewise lack jurisdiction over Stella's appeal. Although Carlos filed and signed the notice of appeal on behalf of Stella, Carlos is not a licensed attorney and therefore cannot file a notice of appeal on behalf of another person, including a spouse. In Texas, a person can practice law only if licensed by the Supreme Court of Texas or if given special permission to do so.² *Unauthorized Practice of Law*

¹ Attached to the notice of appeal is the June 1, 2020 trial court order granting summary judgment in favor of Atascocita Forest Community Association.

² Special permission to practice may be given to certain qualified law students and unlicensed law school graduates. *Unauthorized Practice of Law Comm. v. Am.*

Comm. v. Am. Home Assur. Co., 261 S.W.3d 24, 29 (Tex. 2008); TEX. GOV'T CODE § 81.102(a); *see also Hunter*, 2020 WL 425295 at *1 (“Under Texas law, if a person is not a member of the state bar or otherwise granted special permission, that person may not practice law on behalf of another person—even if the two persons are related or married.”)³; *Premier Assocs., Inc. v. Louetta Shopping Ctr. Houston, L.P.*, No. 01-12-00369-CV, 2012 WL 4243802 (Tex. App.—Houston [1st Dist.] Sept. 20, 2012, no pet.) (mem. op.) (“[A] person proceeding pro se cannot file a notice of appeal on behalf of another person.”).

Although Texas courts construe pro se pleadings and briefs “liberally,” pro se litigants are held to the same standards that licensed attorneys must satisfy, and pro se litigants must comply with Texas rules of procedure and laws. *Moreno v. Silva*, 316 S.W.3d 815, 817 (Tex. App.—Dallas 2010, pet. denied) (citing *Mansfield State Bank v. Cohn*, 573 S.W.2d 181, 184–85 (Tex.1978)). “To do otherwise would give a pro se litigant an unfair advantage over a litigant who is

Home Assur. Co., 261 S.W.3d 24, 29, n. 18 (Tex. 2008); TEX. GOV'T CODE § 81.102(b). Attorneys licensed in other jurisdictions may also be given permission to practice in Texas. *Id.*

³ In *Hunter v. Liberty Mut. Ins.*, Carolyn Dawson, a pro se litigant in the trial court, signed and filed a notice of appeal on behalf of Charley Hunter, her common-law husband, who also appeared pro se in the trial court. No. 01-19-00418, 2020 WL 425295, *1 (Tex. App.—Houston [1st Dist.] Jan. 28, 2020) (mem. op.). Hunter never filed his own notice of appeal. *Id.* This Court held that, because Dawson was not a member of the State Bar of Texas and had not received special permission to practice law, “she lacked the authority to sign and file Hunter’s notice of appeal.” *Id.* We thus held that we lacked jurisdiction over Hunter’s appeal. *Id.* (citing TEX. R. APP. P. 25.1(a)).

represented by counsel.” *Id.* (citing *In re N.E.B.*, 251 S.W.3d 211, 212 (Tex. App. —Dallas 2008, no pet.)).

After being notified that this appeal was subject to dismissal for want of jurisdiction and granting her an extension to file a response, Stella did not adequately respond. Accordingly, we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a). We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Justices Goodman, Hightower, and Rivas-Molloy.