

**Dismissed and Memorandum Opinion filed August 29, 2023**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-23-00411-CV**

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**DIANA INGRID REISMAN SEXTON, Appellant**

**V.**

**FORT BEND COUNTY; BAILIFF JOSE FALCON; DEPUTY SHERIFF  
GABRIEL CARDENAS, DEPUTY SHERIFF CONNOR GREEN, DEPUTY  
SHERIFF ROSS, DEPUTY SHERIFF COX, ET AL, Appellees**

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**On Appeal from the 240th District Court  
Fort Bend County, Texas  
Trial Court Cause No. 22-DCV-296547**

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**MEMORANDUM OPINION**

This is an attempted appeal from an order signed January 3, 2023. No post-judgment motion was filed. Appellant's notice of appeal was filed June 12, 2023. The notice of appeal must be filed within 30 days after the judgment is signed when appellant has not filed a timely post-judgment motion. *See* Tex. R. App. P. 26.1.

Appellant’s notice of appeal was not filed timely. A motion to extend time is necessarily implied when an appellant, acting in good faith, files a notice of appeal beyond the time allowed by Texas Rule of Appellate Procedure 26.1, but within the 15-day grace period provided by Rule 26.3 for filing a motion to extend time. *See Verburgt v. Dorner*, 959 S.W.2d 615, 617–18 (1997) (construing the predecessor to Rule 26). Appellant’s notice of appeal was not filed within the 15-day period provided by Texas Rule of Appellate Procedure 26.3.

On July 20, 2023, notification was transmitted to all parties that the appeal was subject to dismissal without further notice for want of jurisdiction. *See* Tex. R. App. P. 42.3(a). Appellant’s response fails to demonstrate that this court has jurisdiction to entertain the appeal.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Wise, Zimmerer, and Poissant.