



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-18-00877-CV

Angel L. SUAREZ,
Appellant

v.

SAN MARCOS AIRPORT,
Appellee

From the County Court at Law No. 3, Bexar County, Texas
Trial Court No. 2018-CV-04527
Honorable Karen Crouch, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Karen Angelini, Justice
Marialyn Barnard, Justice

Delivered and Filed: December 12, 2018

DISMISSED FOR LACK OF JURISDICTION

The trial court signed a final appealable order on September 27, 2018. Because appellant did not file a motion for new trial, motion to modify the judgment, motion for reinstatement, or request for findings of fact and conclusions of law, the notice of appeal was due to be filed on October 29, 2018. *See* TEX. R. APP. P. 26.1(a). A motion for extension of time to file the notice of appeal was due on November 12, 2018. *See* TEX. R. APP. P. 26.3.

Appellant filed his notice of appeal on November 16, 2018. “[O]nce the period for granting a motion for extension of time under Rule [26.3] has passed, a party can no longer invoke the

appellate court's jurisdiction. *See Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997) (construing the predecessor to Rule 26). Because the notice of appeal was untimely filed, we ordered appellant to show cause in writing by December 4, 2018, why this appeal should not be dismissed for lack of jurisdiction. *See id.*

On December 3, 2018, appellant responded to our order; however, appellant's response does not set forth any reason this court has jurisdiction to consider this appeal. Because the notice of appeal was untimely filed, this appeal is dismissed for lack of jurisdiction.

PER CURIAM