



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-19-00723-CV

In the Interest of **W.A.F.**, a Child

From the 131st Judicial District Court, Bexar County, Texas  
Trial Court No. 2017-CI-15404  
Honorable Norma Gonzales, Judge Presiding

PER CURIAM

Sitting: Irene Rios, Justice  
Beth Watkins, Justice  
Liza A. Rodriguez, Justice

Delivered and Filed: October 7, 2020

DISMISSED FOR WANT OF PROSECUTION

On May 15, 2020, appellant filed what purported to be her brief. On July 2, 2020, we issued an order notifying appellant that her brief flagrantly violated Rule 38.1 of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 38.1 (listing the components of an appellant's brief). We notified appellant that her brief did not contain the identity of parties and counsel; a table of contents; an index of authorities; a brief statement of the issues presented, setting out what errors were allegedly committed by the trial court; a statement of facts with references to the appellate record; a proper summary of the argument; a proper legal argument with appropriate citations to legal authorities and to the appellate record; a short conclusion stating the nature of the relief sought; and an appendix containing a copy of the judgment challenged on appeal. *See id.* In our July 2, 2020 order, we struck appellant's brief and ordered her to file an amended brief correcting

the identified briefing violations on or before July 31, 2020. We warned appellant that if she did not file an amended brief that corrected the identified briefing violations, we could “strike the brief, prohibit [appellant] from filing another, and proceed as if [appellant] had failed to file a brief.” *See id.* 38.9(a). Appellant did not file an amended brief as ordered.

On August 25, 2020, we issued an order notifying appellant this appeal would be dismissed for want of prosecution unless she filed an amended brief on or before September 8, 2020. *See id.* 38.8 (a)(1) (providing appellate court may dismiss an appeal for want of prosecution when appellant fails to timely file a brief). Appellant filed a motion for extension of time to file an amended brief, which we granted. We extended the time for appellant to file an amended brief to September 15, 2020, and we warned appellant that if she did not file an amended brief on or before that date, this appeal would be dismissed for want of prosecution. *See id.* 38.8(a)(1); 42.3(b),(c). Appellant did not file an amended brief as ordered. Accordingly, we dismiss this appeal for want of prosecution. *See id.* 38.8(a)(1); 42.3(b),(c); *see also In the Estate of Flores*, No. 04-13-00393-CV, 2013 WL 6115907, at \*1 (Tex. App.—San Antonio Nov. 20, 2013, no pet.) (mem. op.) (dismissing appeal when appellant’s brief was struck for noncompliance with Rule 38.1 and appellant failed to file an amended brief as ordered). Costs of appeal are taxed against appellant.

PER CURIAM