



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

**MEMORANDUM OPINION**

No. 04-22-00799-CV

**IN THE INTEREST OF L.A.C.-M., a Child**

From the 451st Judicial District Court, Kendall County, Texas  
Trial Court No. 18-067  
Honorable Kirsten Cohoon, Judge Presiding

PER CURIAM

Sitting: Luz Elena D. Chapa, Justice  
Irene Rios Justice  
Beth Watkins, Justice

Delivered and Filed: July 12, 2023

DISMISSED FOR WANT OF PROSECUTION

Pro se appellant Sean Martinez appeals the trial court's October 27, 2022 modification order. Appellant filed his pro se brief on December 16, 2022 at the same time he filed his notice of appeal. Because the brief did not comply with Rules 9.4, 9.5, and 38.1 of the Texas Rules of Appellate Procedure, we struck the brief and ordered appellant to file an amended brief by March 29, 2023. On March 23, 2023, appellant filed a motion for an extension of time to file his brief. We granted the motion and ordered appellant to file his amended brief no later than April 24, 2023. Appellant did not file his amended brief. Instead, appellant filed a motion asking for an additional thirty days to file the amended brief. We granted the motion and ordered appellant to file his amended brief no later than May 24, 2023. Neither the brief nor a motion for extension of time was filed. We therefore ordered appellant to file his amended brief and a written response

reasonably explaining his failure to timely file the amended brief by June 16, 2023. We advised appellant that if he failed to file a brief and the written response by the date ordered, we would dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a); *see also* TEX. R. APP. P. 42.3 (court may dismiss appeal for want of prosecution or because appellant has failed to comply with a court order within the time provided). Appellant has not filed an amended brief or the written response ordered by the court.

Accordingly, this appeal is dismissed.

PER CURIAM