



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 02-11-00399-CV**

CLYDE T. MOORE, JR.

APPELLANT

V.

SHARON LASHLEE MOORE

APPELLEE

-----  
FROM THE 231ST DISTRICT COURT OF TARRANT COUNTY  
-----

**MEMORANDUM OPINION<sup>1</sup>**  
-----

Appellant Clyde T. Moore, Jr. attempts to appeal the trial court's final decree of divorce, which the court signed on June 16, 2011. Because appellant did not timely file his notice of appeal, we must dismiss this appeal for want of jurisdiction. See Tex. R. App. P. 42.3(a), 43.2 (f).

Appellant timely filed a motion for new trial on July 1, 2011. Accordingly, appellant's notice of appeal was due September 14, 2011. See Tex. R. App. P.

---

<sup>1</sup>See Tex. R. App. P. 47.4.

26.1(a)(1). But appellant did not file his notice of appeal until October 3, 2011, and there is no evidence that he mailed his notice of appeal during the time for filing a motion to extend. See Tex. R. App. P. 9.2(b), 26.3. On October 7, 2011, we sent appellant a letter expressing our concern that we lack jurisdiction because the notice of appeal was untimely filed. See Tex. R. App. P. 25.1(b), 26.1; *Crites v. Collins*, 284 S.W.3d 839, 840 (Tex. 2009) (indicating that the timely filing of a notice of appeal under rule 26.1 is jurisdictional). We informed appellant that unless he or any party desiring to continue the appeal filed a response showing grounds for continuing the appeal, this appeal may be dismissed for want of jurisdiction.

In response, appellant sent us a letter contending that the trial judge denied his constitutional right to a jury trial by manipulating the court filing system, falsifying documents, and making false allegations of untimely filing dates. However, the response does not show grounds for continuing the appeal. Because appellant's notice of appeal was untimely, we dismiss the appeal for want of jurisdiction. See Tex. R. App. P. 42.3(a), 43.2(f).

PER CURIAM

PANEL: LIVINGSTON, C.J.; DAUPHINOT and GARDNER, JJ.

DELIVERED: November 10, 2011