



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

**NO. 02-17-00160-CV**

MARK TILFORD D/B/A THE MSI  
COMPANIES

APPELLANT

V.

THE FIRST BANK OF TEXAS

APPELLEE

-----  
FROM THE 348TH DISTRICT COURT OF TARRANT COUNTY  
TRIAL COURT NO. 348-285260-16

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

The trial court signed its judgment on January 20, 2017, and on February 20, 2017,<sup>2</sup> Appellant Mark Tilford d/b/a the MSI Companies filed a motion for new trial, extending the deadline to file a notice of appeal to April 20, 2017. See Tex.

---

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

<sup>2</sup>Tex. R. Civ. P. 4.

R. App. P. 26.1(a)(1). Appellant did not file the notice of appeal until May 8, 2017, *cf. id.*, and did not file a motion for an extension of time to file the notice of appeal, which would have been due by May 5, 2017. See Tex. R. App. P. 26.3 (stating that the appellate court may extend time to file a notice of appeal if a motion complying with rule 10.5(b) is filed within fifteen days after the deadline for filing the notice of appeal).

Accordingly, we notified Appellant of our concern that we lacked jurisdiction over the appeal because the notice of appeal was not timely filed. We stated that unless Appellant or any party desiring to continue the appeal filed a response showing grounds to continue the appeal, we would dismiss the appeal for want of jurisdiction. See Tex. R. App. P. 25.1(b), 26.1, 42.3(a), 44.3. We have received no response to our jurisdiction letter.

Therefore, we dismiss the appeal for want of jurisdiction. See, *e.g.*, *In re D.A.*, No. 02-15-00346-CV, 2015 WL 9244637, at \*1 (Tex. App.—Fort Worth Dec. 17, 2015, no pet.) (mem. op.) (“The time for filing a notice of appeal is jurisdictional in this court, and absent a timely-filed notice of appeal or extension request, we must dismiss the appeal.”); see *also* Tex. R. App. P. 42.3(a), 43.2(f).

/s/ Bonnie Sudderth  
BONNIE SUDDERTH  
JUSTICE

PANEL: SUDDERTH, KERR, and PITTMAN, JJ.

DELIVERED: June 29, 2017