



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

NO. 02-17-00414-CV

CHERIE ALLEN

APPELLANT

V.

BANK OF AMERICA, N.A. AND
LENDERS COMMERCIAL
FINANCIAL, LLC

APPELLEES

FROM COUNTY COURT AT LAW NO. 3 OF TARRANT COUNTY
TRIAL COURT NO. 2017-006758-3

MEMORANDUM OPINION¹ AND JUDGMENT

On June 28, 2018, we notified appellant that upon presubmission screening, it was determined that her brief did not comply with rules of appellate procedure 9.1, 9.4, and 38.1. See Tex. R. App. P. 9.1(c), 9.4(h), (i), (j)(1), 38.1(g), (i). We notified appellant that she would have until July 9, 2018, to file

¹See Tex. R. App. P. 47.4.

an amended brief that complied with these rules and warned that failure to do so could result in our striking appellant's brief and dismissing the appeal or the waiver of noncomplying points. See Tex. R. App. P. 38.8(a), 38.9(a), 42.3. We also notified appellant that she was prohibited from raising additional or different points in the amended brief but that if she desired to file an amended brief that raised additional or different points, she had to first file a motion and obtain an order from this court permitting her to do so.

Instead of timely filing an amended brief, on July 9, 2018, appellant filed a "Motion to Amend Brief to Raise Additional Points." On July 12, 2018, we denied the motion and ordered appellant to file an amended brief that complied with this court's June 28, 2018 letter. We stated that if she did not file an amended brief by July 16, 2018, we would strike appellant's brief and dismiss this appeal for want of prosecution. We have not received any response.

"We liberally construe pro se briefs, but to ensure fairness in our treatment of all litigants, we hold pro se litigants to the same standards as licensed attorneys and require pro se litigants to follow the applicable laws and rules of procedure." *Branch v. Fannie Mae*, No. 02-11-00355-CV, 2012 WL 3030525, at *1 (Tex. App.—Fort Worth July 26, 2012, no pet.) (mem. op.). Because appellant has failed to file an amended brief after having been given an opportunity to do so and because she has failed to provide a reasonable explanation for said failure, we strike appellant's brief and dismiss the appeal for want of prosecution. See Tex. R. App. P. 38.8(a)(1), 38.9(a), 42.3(b), (c), 43.2(f).

PER CURIAM

PANEL: WALKER, MEIER, and GABRIEL, JJ.

DELIVERED: August 2, 2018