



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-18-00265-CV

IN THE INTEREST OF A.S.-J., J.W., AND J.W., CHILDREN

On Appeal from the 323rd District Court
Tarrant County, Texas
Trial Court No. 323-104719-17

Before Gabriel, Kerr, and Pittman, JJ.
Opinion by Justice Gabriel

MEMORANDUM OPINION

Appellant R.W. (Mother) attempts to appeal the trial court's final order terminating her parental rights to her three children. Because Mother has failed to invoke this court's jurisdiction, we dismiss her attempted appeal.

On February 6, 2018, the trial court signed a termination order, concluding that clear and convincing evidence showed that Mother had filed an unrevoked affidavit of relinquishment of her parental rights and that termination was in the children's best interest. On August 23, 2018—more than six months after the termination order—Mother filed a letter in the trial court stating that she wanted to “withdraw” her affidavit signature and “appeal the de[c]ision.” We notified Mother that her notice of appeal was untimely and asked her, or any other affected party, to respond and show grounds to continue the appeal. *See* Tex. R. App. P. 26.1(b), 42.3(a), 44.3. Mother responded that she had been “confused on trial dates,” but failed to proffer any legal ground upon which we could base our jurisdiction. *See* Tex. R. App. P. 26.1(b) (requiring notice of appeal to be filed twenty days after judgment or order signed in accelerated appeal), 28.4(a) (classifying termination appeals as accelerated); *In re K.A.F.*, 160 S.W.3d 923, 924, 928 (Tex. 2005) (affirming jurisdictional dismissal of appeal from order in termination suit because notice of appeal filed more than twenty days after judgment signed); *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.) (dismissing attempted appeal from final order in termination suit “[b]ecause Appellant’s notice of

appeal was untimely and was filed after the expiration of the [fifteen-day] period for requesting an extension”).

Mother’s notice of appeal, filed more than six months after the final judgment of termination was signed, was untimely; thus, we can do nothing more than dismiss her attempted appeal for lack of jurisdiction. *See* Tex. R. App. P. 43.2(f); *Kilroy v. Kilroy*, 137 S.W.3d 780, 783 (Tex. App.—Houston [1st Dist.] 2004, no pet.).

/s/ Lee Gabriel

Lee Gabriel
Justice

Delivered: September 20, 2018