



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

No. 02-20-00041-CV

IN THE ESTATE OF MYRTLE G. SHANNON, DECEASED

On Appeal from Probate Court No. 2
Tarrant County, Texas
Trial Court No. 2019-PR02131-2

Before Kerr, Birdwell, and Bassel, JJ.
Per Curiam Memorandum Opinion

MEMORANDUM OPINION AND JUDGMENT

On May 5, 2020, we notified appellant that her brief had not been filed as the appellate rules require. *See* Tex. R. App. P. 38.6(a). We stated that we could dismiss the appeal for want of prosecution unless, within ten days, appellant filed with the court an appellant's brief and an accompanying motion reasonably explaining the brief's untimely filing and why an extension was needed. *See* Tex. R. App. P. 10.5(b), 38.8(a)(1), 42.3(b).

On May 11, 2020, we received appellant's "Motion to Extend Time to File Appellant's Brief." The motion did not include the required \$10 filing fee. *See* Tex. R. App. P. 5; Supreme Court of Tex., Fees Charged in the Supreme Court in Civil Cases in the Courts of Appeals, and Before the Judicial Panel on Multidistrict Litigation, Misc. Docket No. 15-9158 (Aug. 28, 2015) (listing courts of appeals' fees). Additionally, the motion did not include a certificate of service and a certificate of conference as the appellate rules require. *See* Tex. R. App. P. 9.5(e), 10.1(a)(5).

On July 10, 2020, we notified appellant of these deficiencies and reminded her that her brief still had not been filed as the appellate rules require. *See* Tex. R. App. P. 38.6(a). We stated that we could dismiss the appeal for want of prosecution unless, within ten days, appellant filed with the court a rule-compliant motion to extend time. *See* Tex. R. App. P. 42.3(b). We have received no response and thus deny appellant's "Motion to Extend Time to File Appellant's Brief."

Because appellant has failed to file a brief even after we afforded an opportunity to explain the initial failure, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 38.8(a)(1), 42.3(b), 43.2(f).

Appellant must pay all costs of this appeal.

Per Curiam

Delivered: August 13, 2020