



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

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No. 02-20-00336-CV

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VAN LE AND DUNG TRAN, Appellants

v.

QUYEN NGUYEN, Appellee

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On Appeal from the 393rd District Court  
Denton County, Texas  
Trial Court No. 18-4863-393

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Before Birdwell, Bassel, and Womack, JJ.  
Memorandum Opinion by Justice Birdwell

## MEMORANDUM OPINION

In two appeals, Appellants Van Le and Dung Tran have attempted to challenge two final judgments. We dismiss one of those appeals for lack of jurisdiction.<sup>1</sup>

In appellate cause number 02-20-00336-CV, Appellants have attempted to appeal the “Final Default Judgment” that was entered on October 26, 2018, in trial court cause number 18-4863-393. But we did not receive Appellants’ notice of appeal until June 12, 2020, more than a year after it was due. *See* Tex. R. App. P. 26.1.

We notified Appellants of our concern that we lack jurisdiction because of the untimely notice of appeal. We warned Appellants that this case could be dismissed unless they or another party filed a response showing that we have jurisdiction. Tex. R. App. P. 42.3(a). Appellants filed a response, but it does not demonstrate that this court has jurisdiction.

A timely notice of appeal confers jurisdiction on this court, and absent a timely notice of appeal, we must dismiss the appeal. *Howlett v. Tarrant Cty.*, 301 S.W.3d 840, 843 (Tex. App.—Fort Worth 2009, pet. denied) (op. on reh’g); *see* Tex. R. App. P. 25.1(b). Because the notice of appeal was filed too late, we dismiss the appeal in cause number 02-20-00336-CV for lack of jurisdiction. *See* Tex. R. App. P. 42.3(a), 43.2(f).

/s/ Wade Birdwell

Wade Birdwell  
Justice

Delivered: December 23, 2020

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<sup>1</sup>In appellate cause number 02-20-00219-CV, Appellants have appealed the “Final Judgment” that was entered on August 13, 2020, in trial court cause number 19-7206-393. That case is unaffected by this opinion and remains ongoing.