



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

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No. 02-22-00005-CV

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LAURYN MITCHELL, EMONIE WALKER, L.S.(MINOR), L.B.(MINOR),  
Appellants

v.

ADAM ESTRADA, JR., Appellee

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On Appeal from the County Court at Law No. 2  
Tarrant County, Texas  
Trial Court No. 2021-005059-2

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Before Sudderth, C.J.; Kerr and Walker, JJ.  
Memorandum Opinion by Justice Walker

## MEMORANDUM OPINION

Appellant, Lauryn Mitchell, attempts to appeal an interlocutory order that granted Appellee's special appearance and dismissed Appellant's claims (but not the claims of any other plaintiffs) against Appellee. However, Appellant's notice of appeal was untimely, and when this court expressed concern that it lacked jurisdiction, Appellant failed to file a response. Therefore, we will dismiss the appeal.

“[T]he time for filing a notice of appeal is jurisdictional in this court, and absent a timely-filed notice of appeal or timely-filed motion for extension, we must dismiss the appeal.” *In re Guardianship of Fulbright*, No. 02-16-00230-CV, 2016 WL 4395804, at \*1 (Tex. App.—Fort Worth Aug. 18, 2016 no pet.) (per curiam) (mem. op.); *see* Tex. R. App. P. 25.1(b); *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997). Interlocutory appeals are accelerated, and any corresponding notices of appeal must be filed within 20 days. Tex. R. App. P. 26.1(b), 28.1(a). An appeal from an order granting a special appearance is an interlocutory order. Tex. Civ. Prac. & Rem. Code Ann. § 51.014(a)(7).

Because the trial court's order was entered on November 29, 2021, Appellant's accelerated notice of appeal was due on Monday, December 20, 2021. However, Appellant did not file her notice of appeal until December 28, 2021, and did not include with it any motion or explanation for its untimeliness. *See* Tex. R. App. P. 26.3 (granting appellate courts the ability to extend time to file a notice of appeal “if, within 15 days after the deadline for filing the notice of appeal” the party files its

notice of appeal along with a Rule 10.5(b) motion to extend time). On January 28, 2022, we notified Appellant of our concern that we lacked jurisdiction over this appeal because the notice of appeal was not timely filed. We further notified Appellant that her appeal might be dismissed for want of jurisdiction unless she or another party could show this court a reasonable explanation for the late filing. *See Verburgt*, 959 S.W.2d at 617. We received no such explanation.

Accordingly, we dismiss this appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a), 43.2(f).

/s/ Brian Walker

Brian Walker  
Justice

Delivered: April 21, 2022