



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

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No. 02-22-00146-CV

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ERIKA JOHNSON, Appellant

v.

SUNSET POINTE HOUSING PARTNERSHIP, LTD., Appellee

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On Appeal from County Court at Law No. 1  
Tarrant County, Texas  
Trial Court No. 2022-000753-1

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Before Sudderth, C.J.; Kerr, Birdwell, JJ.  
Per Curiam Memorandum Opinion

## MEMORANDUM OPINION AND JUDGMENT

Appellant's brief was due on August 19, 2022. On September 9, 2022, we notified Appellant that her brief had not been filed as the Texas Rules of Appellate Procedure require. *See* Tex. R. App. P. 38.6(a). We warned that we could dismiss the appeal for want of prosecution unless, within ten days, Appellant filed a brief and an accompanying motion reasonably explaining the brief's untimeliness. *See* Tex. R. App. P. 10.5(b)(1), 38.8(a)(1), 42.3(b).

On the tenth day, we received a motion requesting an extension. But the motion did not comply with the Rules of Appellate Procedure.<sup>1</sup> *See* Tex. R. App. P. 10.5(b)(1). We notified Appellant that her motion was noncompliant, we listed out the noncompliant aspects, and we warned that we could return the filing or deny the motion unless Appellant corrected the deficiencies within ten days. More than thirty days have passed since then—and more than sixty days have passed since the original deadline for Appellant's brief—but we have not received a response.

Because Appellant has failed to file a brief, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 38.8(a)(1), 42.3(b), 43.2(f).

Per Curiam

Delivered: November 3, 2022

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<sup>1</sup>Appellant's motion lacked, among other things, a certificate of conference, a certificate of service, and a signature. *See* Tex. R. App. P. 9.5, 10.1(a).