In The
Court of Appeals
Seventh District of Texas at Amarillo

No. 07-16-00445-CV

CHRIS ALANIZ, APPELLANT

V.

ANDREA MARIA HADAWAY, APPELLEE

On Appeal from the 251st District Court
Randall County, Texas
Trial Court No. 69,932-C; Honorable Ana Estevez, Presiding

July 5, 2017

MEMORANDUM OPINION

Before QUINN, C.J., and CAMPBELL and PIRTLE, JJ.

Appellant, Chris Alaniz, proceeding *pro se*, appeals from the trial court's *Order in Suit Affecting the Parent-Child Relationship* following a *de novo* hearing. By his *Brief to Reinstate Child Support*, he contends the trial court erred in deleting an award of retroactive child support from Appellee, Andrea Maria Hadaway. Hadaway did not file a brief in response. We affirm.

BACKGROUND

Alaniz and Hadaway were married in March 2013 and three months later, their son was born. In April 2016, the Office of Attorney General filed its *Petition to Establish the Parent-Child Relationship* alleging the parties had separated and requesting appointment of appropriate conservators and child support. The Office of Attorney General later filed its *First Amended Petition in Suit Affecting the Parent-Child Relationship* acknowledging that the minor child resided with Alaniz and again requesting appropriate conservatorship orders and child support.

On September 19, 2016, an associate judge entered an order appointing Alaniz as managing conservator and Hadaway as possessory conservator. Among other things, Hadaway was ordered to pay retroactive child support to Alaniz in the amount of $4,280. On November 2, 2016, a *de novo* hearing was held in which the only contested issue was the award of retroactive child support. Following that hearing, the trial court entered a new order, similar in all respects to the previous order entered, save and except that the new order deleted the retroactive support previously ordered by the associate judge. Alaniz now complains the trial court erred in doing so. We disagree.

ANALYSIS

Self-representation does not exempt a party from being held to the same standards as represented parties. As such, *pro se* litigants must comply with applicable procedural rules or else they would be given an unfair advantage over litigants represented by counsel. *Mansfield State Bank v. Cohn*, 573 S.W.2d 181, 185 (Tex. 1978). The Texas Rules of Appellate Procedure require adequate briefing. *See* TEX. R. APP. P. 38.1(h) (requiring that a brief "contain a succinct, clear, and accurate statement

of the arguments made in the body of the brief"); *id.* at 38.1(i) (requiring that the brief "contain a clear and concise argument for the contentions made, with appropriate citations to authorities and the record"). Where, as here, an appellant has failed to present a cogent argument regarding a specific issue, supported by the record and appropriate legal authority, courts have held that issue to have been waived. *See ERI Consulting Eng'rs, Inc. v. Swinnea,* 318 S.W.3d 867, 880 (Tex. 2010).

Here, Alaniz's complaints are totally indiscernible. His single page, hand-written *Brief to Reinstate Child Support* fails to make any reference to the record. Furthermore, its sole reference to any legal authority is a statement that "[t]his is a violation of Alaniz (sic) right, A CONSTITUTIONAL right of a fair trial, hearing." As such, Alaniz's brief presents nothing for review. Furthermore, we have reviewed the record and determined that even if Alaniz had adequately briefed his complaint, we would find the trial court did not abuse its discretion by failing to award in the *de novo* hearing the retroactive support previously ordered by the associate judge. *See Worford v. Stamper*, 802 S.W.2d 108, 109 (Tex. 1990). Accordingly, we overrule any issue Alaniz may have been trying to present.

CONCLUSION

The trial court's order is affirmed.

Patrick A. Pirtle
Justice