



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-23-00063-CV

IN THE MATTER OF THE GUARDIANSHIP OF CONNIE A. SCHAFFNER, AN ADULT

On Appeal from the County Court
Clay County, Texas¹
Trial Court No. 2-22-G, Honorable Mike Campbell, Presiding

April 5, 2023

MEMORANDUM OPINION

Before PARKER and DOSS and YARBROUGH, JJ.

Appellant, Sharon Hylton, filed a restricted appeal from a final order dated August 19, 2022, appointing permanent guardians for Connie A. Schaffner, an incapacitated person. On February 24, 2023, appointed counsel for Schaffner filed a motion to dismiss the appeal for lack of jurisdiction, noting that Hylton was not a party in the trial court and lacked standing to pursue a restricted appeal. This Court requested that Hylton file a response to the motion to dismiss no later than March 23, 2023. Hylton failed to respond.

¹ Pursuant to the Supreme Court's docket equalization efforts, this case was transferred to this Court from the Second Court of Appeals. See TEX. GOV'T CODE ANN. § 73.001.

Further, Hylton’s brief was due February 24, 2023. Hylton has failed to timely file a brief and has not filed a motion requesting an extension of time for the filing of her brief. See TEX. R. APP. P. 38.6(a) (governing time to file brief), 38.8(a) (authorizing dismissal of appeal for want of prosecution if appellant fails to timely file brief).

Hylton has failed to file a brief, failed to provide any explanation for her failure to file a brief, and failed to respond to a notice from this Court. Accordingly, we dismiss the appeal for want of prosecution. See TEX. R. APP. P. 42.3(b) (authorizing dismissal for want of prosecution), (c) (authorizing dismissal “because the appellant has failed to comply with . . . a notice from the clerk requiring a response or other action within a specified time”). Any pending motions are dismissed as moot.

Per Curiam