



**In the
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-23-00015-CV

CHARLES R. JOHNSON, SR., Appellant

V.

SWEPCO SOUTHWESTERN ELECTRIC POWER CO., Appellee

On Appeal from the 202nd District Court
Bowie County, Texas
Trial Court No. 21C0613-202

Before Stevens, C.J., van Cleef and Rambin, JJ.
Memorandum Opinion by Chief Justice Stevens

MEMORANDUM OPINION

On January 9, 2023, the trial court entered a traditional and no-evidence summary judgment in favor of SWEPCO Southwestern Electric Power Co. against Charles R. Johnson, Sr. Because Johnson did not file a motion or request that extended the deadline to file a notice of appeal, the notice of appeal was due on February 8, 2023, which was thirty days after the judgment was signed. *See* TEX. R. APP. P. 26.1(a). Johnson filed his notice of appeal on February 17, 2023, making it untimely. Although the fifteen-day motion for extension of time contemplated by Rule 26.3 of the Texas Rules of Appellate Procedure is implied in civil cases, an appellant must also provide a reasonable explanation for the late filing to avoid dismissal of the appeal. *In re G.J.P.*, 314 S.W.3d 217, 221 (Tex. App.—Texarkana 2010, pet. denied).

By letter dated March 7, 2023, we requested that Johnson file, with this Court, a reasonable explanation for the late filing of his notice of appeal. We warned Johnson that, if we did not receive an adequate response within thirty days of the date of our letter, we could dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3.

Although Johnson responded to our letter, his response did not provide a reasonable explanation for the late filing of his notice of appeal. As a result, this appeal is ripe for dismissal.

We dismiss this appeal for want of jurisdiction.

Scott E Stevens
Chief Justice

Date Submitted: April 11, 2023
Date Decided: April 12, 2023