



IN THE
TENTH COURT OF APPEALS

No. 10-13-00147-CV

EDDIE WILLIE TAYLOR, JR.,

Appellant

v.

RUBY LEE TAYLOR JONES,

Appellee

From the 335th District Court
Burleson County, Texas
Trial Court No. 27,069

MEMORANDUM OPINION

Eddie Willie Taylor, Jr. appeals the trial court's order granting Ruby Lee Taylor Jones's motions for traditional and no-evidence summary judgment signed on April 1, 2013. In that order, the trial court denied all claims by Taylor against Jones, determining that the claims lacked sufficient evidence. The trial court also rendered a judgment in favor of Jones on her counter-claim of breach of contract. We affirm.

Taylor's appeal suffers a fatal flaw. Taylor bore the burden to bring forward the record of the summary judgment evidence to provide this Court with a basis to review his claim of harmful error. *Enter. Leasing Co. v. Barrios*, 156 S.W.3d 547, 549 (Tex. 2004).

Taylor did not do so. The record does not contain Jones's counterclaim, Taylor's response to the counterclaim, Jones's motion for traditional and no-evidence summary judgment, Taylor's motion for extension of time to file an objection to Jones's summary judgment motions, and Taylor's supplemental argument of law. The court's docket sheet indicates that each of these documents were filed with the trial court. When pertinent summary judgment evidence considered by the trial court is not included in the appellate record, we must presume that the omitted evidence supports the trial court's judgment. *Id.*; see also *Crown Life Ins. Co. v. Gonzalez*, 820 S.W.2d 121, 122 (Tex. 1991). Therefore, we presume that the missing filed documents support the trial court's summary judgment in favor of Jones.

Accordingly, Taylor's issues¹ are overruled and the trial court's judgment is affirmed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins

Affirmed
Opinion delivered and filed February 27, 2014
[CV06]

¹ Although we do not dispose of Taylor's appeal on this ground, we note that Taylor's brief is a rambling 45 page endeavor containing 12 issues for review. He fails to cite to any portion of the record and any relevant Texas caselaw to support his arguments. Thus, his issues are improperly briefed. See TEX. R. APP. P. 38.1(i).