



**IN THE
TENTH COURT OF APPEALS**

No. 10-20-00162-CV

**IN THE MATTER OF THE MARRIAGE OF
JENNELL A. RUTH-BROWN
AND
EROY BROWN**

**From the 414th District Court
McLennan County, Texas
Trial Court No. 2019-4113-5**

MEMORANDUM OPINION

Eroy Brown presented a document, entitled “notice of appeal,” regarding a trial court’s order for professional counseling of the parties. After careful consideration of the document filed, we do not believe the document was intended to be a notice of appeal to this Court. The document appears to be a motion for reconsideration, or even a motion for extension of time to engage in the court-ordered counseling. Brown, acting pro se, appears to have not known what to call his request for relief. Assuming he intended the document to be a notice of appeal of the trial court’s order, it would be an interlocutory appeal over which we have no jurisdiction.

Because under either scenario, Brown cannot obtain the relief requested from this Court, a prompt disposition of this proceeding in this Court is essential so that the parties may timely engage in the trial court-ordered counseling sessions before moving forward in the divorce proceeding, if necessary after the counseling. Accordingly, we use Rule 2 to suspend the requirement of 10 days' notice prior to an involuntary dismissal in a civil appeal and dismiss this appeal. *See* TEX. R. APP. P. 2; 42.3.

Under the circumstances of this case, we order the Clerk of this Court to write off the costs of the appeal.

PER CURIAM

Before Chief Justice Gray,
Justice Davis, and
Justice Neill

Appeal dismissed
Opinion delivered and filed July 3, 2020
[CV06]

