

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00487-CV

In re Luis I. Cuellar

J. M. and A. G., Appellants

v.

Texas Department of Family and Protective Services, Appellee

**FROM THE 207TH DISTRICT COURT OF HAYS COUNTY,
NO. 2011-1242, THE HONORABLE WILLIAM HENRY, JUDGE PRESIDING**

ORDER TO SHOW CAUSE

PER CURIAM

This is a contempt proceeding ancillary to the appeal of A.G. The subject of this proceeding is Luis I. Cuellar, appellant's attorney.

Appellant filed her notice of appeal on July 16, 2012, and her brief was due September 4, 2012. On September 7, 2012, we ordered counsel to file appellant's brief no later than September 24, 2012. No brief was received. On October 4, 2012, we ordered Mr. Cuellar to appear in person before this Court on October 19, 2012, to show cause why he should not be held in contempt and have sanctions imposed. The order further instructed that Mr. Cuellar would be relieved of his obligation to appear if the Clerk of this Court received appellant's brief before October 19, 2012. On October 18, 2012, the Clerk of this Court received appellant's

brief, and the hearing to show cause was stayed by the Court; however, the brief was not filed in accordance with the Texas Rules of Appellate Procedure in that the brief was not signed nor page numbered. Notice of the defects was sent to Mr. Cuellar on October 18, 2012. Additionally, the Clerk of the Court contacted Mr. Cuellar by telephone on October 29, 2012, and again notified Mr. Cuellar of the defects and requested the filing of a corrected brief. To date, appellant's brief has not been filed.

Therefore, Luis I. Cuellar is hereby ordered to file a brief complying with the requirements of the Texas Rules of Appellate Procedure before November 28, 2012. It is further ordered that Luis I. Cuellar shall appear in person before this Court on Wednesday, November 28, 2012, at 1:30p.m., in the Third Court of Appeals courtroom, located on the first floor of the Price Daniel, Sr. Building, 209 West 14th Street, in Austin, Travis County, Texas, to show cause why he should not be held in contempt for his conduct related to the filing of appellant's brief. Luis I. Cuellar's obligation to appear before this Court will not be excused by the filing of a compliant brief before November 28, 2012.

It is ordered on November 15, 2012.

Before Justices Puryear, Pemberton, and Goodwin