

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-18-00182-CV

Theresa Hodges, Appellant

v.

Avail I, LLC, Appellee

**FROM THE COUNTY COURT AT LAW NO. 2 OF TRAVIS COUNTY
NO. C-1-CV-17-011111, THE HONORABLE TODD T. WONG, JUDGE PRESIDING**

MEMORANDUM OPINION

On March 23, 2018, appellant Theresa Hodges filed a notice of appeal from a final judgment signed by the trial court on February 5, 2018. Accordingly, the notice of appeal was filed after the expiration of both the general 30-day deadline to do so (March 7, 2018) and the extension period (March 22, 2018). *See* Tex. R. App. P. 26.3; *Verburgt v. Dorner*, 959 S.W.2d 615, 617-18 (Tex. 1997) (“[O]nce the period for granting a motion for extension of time under Rule 41(a)(2) [now Rule 26.3] has passed, a party can no longer invoke the appellate court’s jurisdiction.”). Hodges’s March 23, 2018 notice of appeal is thus untimely, and we lack jurisdiction over this appeal. *See* Tex. R. App. P. 25.1(b) (providing that filing notice of appeal invokes appellate court’s jurisdiction), *id.* R. 2 (establishing that appellate court may not alter time for perfecting appeal in civil case).

Upon review of the trial-court clerk’s record, the Clerk of this Court sent appellant a letter informing her that the Court appears to lack jurisdiction over the appeal for the

reasons stated above and requesting a response informing us of any basis that exists for jurisdiction. The notice further advised appellant that her failure to comply with this request could result in the dismissal of the appeal. To date, no response has been filed. Accordingly, we dismiss the appeal for want of jurisdiction. *See id.* R. 42.3(a).

Bob Pemberton, Justice

Before Justices Puryear, Pemberton, and Bourland

Dismissed for Want of Jurisdiction

Filed: June 29, 2018