



**NUMBER 13-19-00571-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**JACK GERALD LARKINS,**

**Appellant,**

**v.**

**ANGELA KIM LARKINS,**

**Appellee.**

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**On appeal from the County Court at Law  
of Kleberg County, Texas.**

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## **MEMORANDUM OPINION**

**Before Justices Benavides, Longoria, and Tijerina  
Memorandum Opinion by Justice Longoria**

Appellant Jack Gerald Larkins, proceeding pro se, filed a notice of appeal from a final decree of divorce. The appellant's brief in the above cause was originally due on March 5, 2020. The appellant has previously requested and received three prior extensions of time to file his brief. On October 20, 2020, the Clerk of this Court notified

the appellant that his brief had not been timely filed and that his appeal was subject to dismissal for want of prosecution under Texas Rule of Appellate Procedure 38.8(a)(1), unless within ten days from the date of this letter, the appellant reasonably explained the failure and the appellee was not significantly injured by the appellant's failure to timely file a brief. See TEX. R. APP. P. 38.8(a); *id.* R. 42.3(b). To date, the appellant has not filed a response to the Court's directive. To date, the appellant has failed to either reasonably explain his failure to file a brief, file a motion for extension of time to file his brief, or file his brief.

The Court, having examined and fully considered the documents on file and the appellant's failure to file his brief, is of the opinion that this appeal should be dismissed. See *id.* R. 38.8(a) (authorizing the court to "dismiss the appeal for want of prosecution," if appellant fails to timely file a brief, "unless the appellant reasonably explains the failure and the appellee is not significantly injured by the appellant's failure to timely file a brief"); *id.* R. 42.3(b),(c) (authorizing the court to dismiss an appeal "for want of prosecution" or "because the appellant has failed to comply with a requirement of [the appellate rules], a court order, or a notice from the clerk requiring a response or other action within a specified time"); *Smith v. DC Civil Constr., LLC*, 521 S.W.3d 75, 76 (Tex. App.—San Antonio 2017, no pet.). Accordingly, we dismiss this appeal for want of prosecution and because the appellant failed to comply with the requirements of the appellate rules and directives from the Clerk. See TEX. R. APP. P. 42.3(b),(c).

NORA L. LONGORIA  
Justice

Delivered and filed the  
7th day of January, 2021.