



NUMBER 13-21-00140-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

ANDREW T. REED,

Appellant,

v.

**PATTY CARRION, INDIVIDUALLY,
EDDY MARTINEZ, INDIVIDUALLY,
DR. RAUL MARQUEZ, INDIVIDUALLY
AND D/B/A ORTHOPEDIC SURGERY
CENTER SPORTS MEDICINE,**

Appellees.

**On appeal from County Court at Law No. 7
of Hidalgo County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Benavides and Silva
Memorandum Opinion by Justice Silva**

This cause is before the Court on appellant's motion for extension of appellate deadline. On May 4, 2021, appellant filed a notice attempting to appeal the trial court's

Order Granting Dismissal and Attorney Fees, signed on January 20, 2021. We now dismiss this appeal for lack of jurisdiction.

An appeal taken from a dismissal in such a case shall be accelerated. See TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(a)(4) (Vernon 2008). To perfect an accelerated appeal, the party is required to file a notice of appeal “within 20 days after the judgment or order is signed.” *Id.* at R. 26.1(b). The filing of a motion for new trial, request for findings of fact and conclusions of law, or any other post-judgment motion, except for a motion for extension of time filed under Texas Rule of Appellate Procedure 26.3, “will not extend the time to perfect an accelerated appeal.” *Id.* at R. 26.3, 28.1(b).

We are to construe the rules of appellate procedure reasonably and liberally so that the right to appeal is not lost by imposing requirements not absolutely necessary to effectuate the purpose of a rule. See *Verburgt v. Dorner*, 959 S.W.2d 615, 616-17 (Tex. 1997). Nevertheless, we are prohibited from enlarging the scope of our jurisdiction by enlarging the time for perfecting an appeal in a civil case in a manner not provided for by rule. See Tex. R. App. P. 2; *In re T.W.*, 89 S.W.3d 641, 642 (Tex. App.–Amarillo 2002, no pet.).

Appellant’s notice of appeal was untimely; therefore, we lack jurisdiction over the appeal. Accordingly, we dismiss the appeal and appellant’s motion for extension of appellate deadline for want of jurisdiction.

CLARISSA SILVA
Justice

Delivered and filed on the
29th day of July, 2021.