



**NUMBER 13-22-00149-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**IN THE MATTER OF THE MARRIAGE OF TAHNEE ANN MCQUEEN  
AND MICHAEL CHRISTOPHER MCQUEEN AND IN THE INTEREST OF  
A.J.M AND N.A.M, CHILDREN**

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**On appeal from the 414th District Court  
of McLennan County, Texas.**

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**MEMORANDUM OPINION**

**Before Chief Justice Contreras and Justices Longoria and Tijerina  
Memorandum Opinion by Justice Tijerina**

This cause is before the Court on its own motion.<sup>1</sup> On March 21, 2022, appellant Tahnee Ann McQueen filed a pro se notice of appeal regarding a final decree of divorce signed in trial court cause number 2021-1959-5 in the 414th District Court of McLennan County, Texas. On May 3, 2022, the Clerk of this Court notified appellant that her brief

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<sup>1</sup> This case is before the Court on transfer from the Tenth Court of Appeals in Waco pursuant to a docket equalization order issued by the Supreme Court of Texas. See TEX. GOV'T CODE ANN. § 73.001.

had not been timely filed. The Clerk advised appellant that the appeal would be dismissed for want of prosecution unless, within ten days from the date of this letter, 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). Appellant did not respond to the Clerk's notice or file a brief in this matter.

Appellate courts possess the authority to dismiss an appeal for want of prosecution when an appellant in a civil case fails to timely file the appellant's brief and gives no reasonable explanation for the failure. See *id.* R. 38.8(a)(1); *id.* R. 42.3(b); *Am. Bail Bonds v. City of El Paso*, 225 S.W.3d 612, 612 (Tex. App.—El Paso 2006, no pet.); *Newman v. Clark*, 113 S.W.3d 622, 623 (Tex. App.—Dallas 2003, no pet.) (per curiam). Similarly, courts may dismiss an appeal for want of prosecution generally or because the appellant has failed to comply with a requirement of the appellate rules, a court order, or a notice from the appellate court clerk requiring a response or other action within a specified time. See TEX. R. APP. P. 42.3 (b), (c).

The Court, having examined and fully considered the documents on file and appellant's failure to file a brief, is of the opinion that this appeal should be dismissed. Accordingly, we dismiss the appeal for want of prosecution. See *id.* R. 38.8(a), 42.3(b), (c).

JAIME TIJERINA  
Justice

Delivered and filed on the  
7th day of July, 2022.