

NO. 12-12-00329-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***JEANETTE HIMES,
APPELLANT***

§

APPEAL FROM THE 402ND

V.

§

JUDICIAL DISTRICT COURT

***AMERICAN EXPRESS BANK FSB,
APPELLEE***

§

WOOD COUNTY, TEXAS

***MEMORANDUM OPINION
PER CURIAM***

This pro se appeal is being dismissed for failure to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3(c). The judgment in this case was signed on August 27, 2012. Appellant timely filed a notice of appeal that failed to contain the information required by Texas Rules of Appellate Procedure 9.5 and 25.1(e), i.e., a certificate of service showing service on all parties to the trial court's judgment.

On September 27, 2012, Appellant was notified pursuant to Texas Rule of Appellate Procedure 37.1 that the notice of appeal was defective for failure to comply with Rules 9.5 and 25.1(e). She was further notified that unless she filed an amended notice of appeal on or before October 3, 2012, the appeal would be referred to the court for dismissal. *See* TEX. R. APP. P. 42.3(c). The deadline for filing an amended notice of appeal has passed, and Appellant has not corrected her defective notice of appeal. Accordingly, the appeal is ***dismissed*** for failure to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3(c); ***Feist v. Berg***, No. 12-04-00004-CV, 2004 WL 252785, at *1 (Tex. App.-Tyler Feb. 11, 2004, pet. denied); ***Feist v. Hubert***, No. 12-03-00442-CV, 2004 WL 252285, at *1 (Tex. App.-Tyler Feb. 11, 2004, pet. denied).

Opinion delivered October 31, 2012.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)



**COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT**

OCTOBER 31, 2012

NO. 12-12-00329-CV

JEANETTE HIMES,

Appellant

V.

AMERICAN EXPRESS BANK FSB,

Appellee

Appeal from the 402nd Judicial District Court
of Wood County, Texas. (Tr.Ct.No. 2011-161)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed**; and that this decision be certified to the court below for observance.

By per curiam opinion.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.