

**NO. 12-13-00141-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

***RICHARD JAMES JOHNSON,***  
***APPELLANT***

§

***APPEAL FROM THE 159TH***

***V.***

§

***JUDICIAL DISTRICT COURT***

***ALBERT J. CHARANZA, JR.,***  
***APPELLEES***

§

***ANGELINA COUNTY, TEXAS***

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***MEMORANDUM OPINION***  
***PER CURIAM***

This appeal is being dismissed for failure to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3(c). The order of dismissal in this case was signed on April 12, 2013. 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 April 29, 2013, 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). He was further notified that unless he filed an amended notice of appeal on or before May 29, 2013, 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 his 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) (mem. op.); *Feist v. Hubert*, No. 12-03-00442-CV, 2004 WL 252285, at \*1 (Tex. App.-Tyler Feb. 11, 2004, pet. denied) (mem. op.).

Opinion delivered June 19, 2013.

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

(PUBLISH)



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

**JUNE 19, 2013**

**NO. 12-13-00141-CV**

**RICHARD JAMES JOHNSON,**

Appellant

V.

**ALBERT J. CHARANZA, JR.,**

Appellee

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Appeal from the 159th Judicial District Court  
of Angelina County, Texas. (Tr.Ct.No. 43285-10-07-A)

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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.*