

NO. 12-14-00239-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

IN THE INTEREST OF R.D.,
A CHILD

§ *APPEAL FROM THE 321ST*
§ *JUDICIAL DISTRICT COURT*
§ *SMITH COUNTY, TEXAS*

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 judgment in this case was signed on July 7, 2014. 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 August 29, 2014, 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 September 29, 2014, 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 October 8, 2014.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

OCTOBER 8, 2014

NO. 12-14-00239-CV

IN THE INTEREST OF R.D., A CHILD

Appeal from the 321st District Court
of Smith County, Texas (Tr.Ct.No. 13-2995-D)

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.