

**NO. 12-14-00307-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

**MARY BROWN HOGG,  
APPELLANT**

§ **APPEAL FROM THE 7TH**

**V.**

§ **JUDICIAL DISTRICT COURT**

**BUILDERS CAPITAL, LTD.,  
APPELLEE**

§ **SMITH 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 judgment in this case was signed on September 25, 2014. Appellant timely filed a notice of appeal, which 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 October 27, 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). She was further notified that unless she filed an amended notice of appeal on or before November 26, 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 her defective notice of appeal. Accordingly, we *dismiss* the appeal 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 December 10, 2014.

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

(PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

DECEMBER 10, 2014

NO. 12-14-00307-CV

**MARY BROWN HOGG,**  
Appellant  
V.  
**BUILDERS CAPITAL, LTD.,**  
Appellee

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Appeal from the 7th District Court  
of Smith County, Texas (Tr.Ct.No. 11-3112-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.*