

NO. 12-14-00227-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***LEENORIS BARNES,
APPELLANT***

§ ***APPEAL FROM THE***

V.

§ ***COUNTY COURT AT LAW***

***SHUNTIA WHEELER,
APPELLEE***

§ ***HOUSTON 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).

On December 29, 2014, Appellant, Leenoris Barnes, filed his brief. On the same date, Barnes was notified that his brief did not comply with Texas Rules of Appellate Procedure 9.4(i)(3) and 38.1(a)-(k). Barnes was also informed that the appeal would be dismissed unless, on or before January 19, 2015, he filed an amended brief along with a motion for extension of time, (1) containing a reasonable explanation for his failure to timely file a brief in strict compliance with Rule 38.8 and (2) showing that Appellee, Shuntia Wheeler, has not suffered material injury thereby.

The January 19, 2015 deadline has now passed, and Barnes has neither filed an amended brief nor otherwise responded to this Court's notice. Because Barnes has failed, after notice, to comply with Texas Rules of Appellate Procedure 9.4(i)(3) and 38.1(a)-(k), the appeal is ***dismissed***. *See* TEX. R. APP. P. 42.3(c).

Opinion delivered January 30, 2015.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

JANUARY 30, 2015

NO. 12-14-00227-CV

LEENORIS BARNES,
Appellant
V.
SHUNTIA WHEELER,
Appellee

Appeal from the County Court at Law
of Houston County, Texas (Tr.Ct.No. 14CCL-102)

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., Hoyle, J. and Neeley, J.