

NO. 12-15-00037-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

<i>IN THE INTEREST OF A. B.,</i>	§	<i>APPEAL FROM THE 402ND</i>
<i>A CHILD</i>	§	<i>JUDICIAL DISTRICT COURT</i>
	§	<i>WOOD COUNTY, TEXAS</i>

MEMORANDUM OPINION
PER CURIAM

This appeal is being dismissed for want of prosecution. *See* TEX. R. APP. P. 42.3(b). Appellant perfected her appeal on February 12, 2015. Because this is a parental rights termination case, we notified Appellant on February 13, 2015, that her brief would be due on March 16, 2015. *See* TEX. R. JUD. ADMIN. 6.2(a) (requiring disposition of appeal in termination case within 180 days of the date the notice of appeal is filed).

When Appellant failed to file her brief by the due date, this court notified Appellant on March 23, 2015, that the brief was past due. The notice warned that if no motion for extension of time to file the brief was received by April 2, 2015, the appeal could be dismissed for want of prosecution under Texas Rule of Appellate Procedure 38.8(a)(1). Further, the notice informed Appellant that the motion for extension of time must contain a reasonable explanation for her failure to file the brief and a showing that Appellee had not suffered material injury thereby. *See* TEX. R. APP. P. 38.8(a)(1).

On April 2, 2015, Appellant filed a motion requesting that the time for filing her brief be extended to April 23, 2015. The court granted the motion on April 8, 2015. The court's order included a notice to Appellant that no further requests for extension would be entertained by the court. Appellant was further warned that failure to file the brief by the extended deadline could result in this case being referred to the court for dismissal. The deadline for filing the brief has passed, and Appellant has not filed her brief. Accordingly, we *dismiss* the appeal *for want of*

prosecution. See TEX. R. APP. P. 38.8(a)(1), 42.3(b).

Opinion delivered April 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

APRIL 30, 2015

NO. 12-15-00037-CV

IN THE INTEREST OF A. B., A CHILD

Appeal from the 402nd District Court
of Wood County, Texas (Tr.Ct.No. 2014-096)

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 for want of prosecution**; 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.