

NO. 12-18-00240-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

IN RE: § *APPEAL FROM THE*
A.A.M., § *COUNTY COURT AT LAW*
A CHILD, § *HOUSTON COUNTY, TEXAS*

MEMORANDUM OPINION
PER CURIAM

This appeal is being dismissed for want of jurisdiction. The trial court's judgment or other appealable order was signed on June 27, 2018. Under the rules of appellate procedure, the notice of appeal must be filed within thirty days after the judgment is signed. *See* TEX. R. APP. P. 26.1. The record does not indicate that Appellant filed a motion for new trial, motion to modify, motion to reinstate, or request for findings of fact and conclusions of law. *See* TEX. R. APP. P. 26.1(a). Thus, Appellant's notice of appeal was due on or before July 27. Appellant filed his notice of appeal on August 27, thus, it was untimely.

Rule 26.3 provides that a motion to extend the time for filing a notice of appeal must be filed within fifteen days after the deadline for filing the notice of appeal. TEX. R. APP. P. 26.3. On September 7, 2018, this Court notified Appellant that the information received in this appeal does not show the jurisdiction of this Court, i.e., there is no timely notice of appeal or timely motion or extension of time to file same. *See* TEX. R. APP. P. 26.1, 37.1. Appellant was further notified that the appeal would be dismissed unless the information was amended on or before September 17, to show the jurisdiction of this Court. *See* TEX. R. APP. P. 42.3. This deadline has now passed, and Appellant has neither shown the jurisdiction of this Court nor otherwise responded to the

September 7 notice. Accordingly, the appeal is *dismissed for want of jurisdiction*.¹ See TEX. R. APP. P. 42.3(a).

Opinion delivered October 10, 2018.

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

(PUBLISH)

¹ We also note that on September 7, 2018, the clerk of this Court notified Appellant that the filing fee in this appeal is due. See TEX. R. APP. P. 5. Appellant was informed that failure to remit the filing fee on or before September 17 would result in the Court's taking appropriate action, including dismissal of the case without further notice. See TEX. R. APP. P. 42.3(c). The date for remitting the filing fee has passed, and Appellant did not comply with the Court's request.



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

OCTOBER 10, 2018

NO. 12-18-00240-CV

IN RE: A.A.M., A CHILD

Appeal from the County Court at Law
of Houston County, Texas (Tr.Ct.No. 17CCL-120)

THIS CAUSE came on to be heard on the appellate record, and the same being considered, it is the opinion of this Court that it is without jurisdiction of the appeal, and that the 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 jurisdiction**; 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.