

**NOS. 12-21-00042-CV
12-21-00043-CV**

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***MARK J. HEALEY,
APPELLANT***

§ *APPEALS FROM THE 3RD*

V.

§ *JUDICIAL DISTRICT COURT*

***MICHAEL R. HEALEY, ELIZABETH
HEALEY AND KOY R. KILLEN,
APPELLEES***

§ *HENDERSON COUNTY, TEXAS*

***MEMORANDUM OPINION
PER CURIAM***

These appeals are being dismissed for want of jurisdiction pursuant to Texas Rule of Appellate Procedure 42.3(a). The trial court's order denying Appellant's motion to recuse was signed on July 17, 2020. The trial court's orders granting summary judgment and order granting motion for sanctions were signed on November 18, 2020. Under Texas Rule of Appellate Procedure 26.1(a), unless Appellant timely filed motions for new trial or other post judgment motions that extended the appellate deadlines, his notices of appeal were due to have been filed "within 30 days after the judgment[s were] signed," i.e., December 18, 2020. Appellant did not file motions for new trial. Although Appellant filed notices of appeal on March 17, 2021, this Court has no jurisdiction to consider the appeals because the notices of appeal were not filed on or before December 18, 2020.

On March 23, 2021, this Court notified Appellant that, pursuant to Texas Rule of Appellate Procedure 42.3(a), his notices of appeal were untimely and informed him that unless the record was amended by April 2, 2021, to establish the jurisdiction of this Court, the appeals

would be dismissed. Appellant has not responded to this Court's dismissal notice before the April 2, 2021 deadline and has not otherwise established this Court's jurisdiction.

Because this Court is not authorized to extend the time for perfecting an appeal except as provided by Texas Rules of Appellate Procedure 26.1 and 26.3, we *dismiss* the appeals for *want of jurisdiction*. See TEX. R. APP. P. 42.3(a).

Opinion delivered April 14, 2021.

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

(DO NOT PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

APRIL 14, 2021

NO. 12-21-00042-CV

MARK J. HEALEY,

Appellant

V.

MICHAEL R. HEALEY, ELIZABETH HEALEY AND KOY R. KILLEN,

Appellees

Appeal from the 3rd District Court

of Henderson County, Texas (Tr.Ct.No. 2014C-0638)

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 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.



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

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By *per curiam* opinion.

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