

COURT OF APPEALS OF TEXAS, SIXTH APPELLATE DISTRICT AT
TEXARKANA

Isaac Mills III and All Other Occupants v. VR Estancia Holdings, LP

No. 06-25-00105-CV · No. 06-25-00105-CV · Decided March 31, 2026

SUMMARY

The Sixth Court of Appeals of Texas at Texarkana dismissed Isaac Mills III’s appeal for want of prosecution after he failed to file an appellate brief or respond to the court’s notice of the overdue brief. The dismissal was based on Texas Rules of Appellate Procedure 38.8 and 42.3.

CASE DETAILS

COURT	Court of Appeals of Texas, Sixth Appellate District at Texarkana
WRITING FOR THE COURT	Justice Charles van Cleef; Chief Justice Stevens; Justice van Cleef; Justice Rambin
JURISDICTION	Court of Appeals of Texas, Sixth Appellate District at Texarkana
DECIDED	March 31, 2026
DOCKET	06-25-00105-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from the County Court at Law No. 2 of Denton County, Texas, dismissed for want of prosecution after the pro se appellant failed to file an appellate brief or respond to the court's warning.
PRECEDENTIAL VALUE	published
PARTIES	Isaac Mills III and All Other Occupants v. VR Estancia Holdings, LP

TOPICS

- appellate procedure
- civil procedure
- landlord tenant
- eviction

PRACTICE AREAS

- appellate procedure
- civil procedure
- real estate

QUESTIONS PRESENTED

- Whether the appeal should be dismissed for want of prosecution when the appellant fails to file an appellate brief and does not respond to the court's notice and warning.

HOLDINGS

1. An appeal may be dismissed for want of prosecution under Texas Rules of Appellate Procedure 38.8(a) (1) and 42.3(b), (c), where the appellant fails to file an appellate brief and does not respond to the court's notice and warning.

KEY QUOTATIONS

“Because we received no response to our letter of February 13, 2026, Appellant’s appeal is ripe for dismissal for want of prosecution.” (at 2)

“Consequently, pursuant to Rules 38.8 and 42.3 of the Texas Rules of Appellate Procedure, we dismiss this appeal for want of prosecution.” (at 2)

FACTUAL BACKGROUND

The opinion concerns an appeal by Isaac Mills III and other occupants from a Denton County forcible-entry-and-detainer proceeding. Mills filed a timely notice of appeal, but after the clerk's record was filed he failed to file the required appellate brief. He also failed to respond to the appellate court's notice and warning that the appeal could be dismissed.

PROCEDURAL HISTORY

Mills filed a timely notice of appeal on September 24, 2025. After the clerk's record was filed, his brief was due January 29, 2026. The court notified him that the brief was late and warned that failure to file it by March 2, 2026, could result in dismissal. Mills neither responded nor filed a brief, so the court dismissed the appeal for want of prosecution.

DISPOSITION

dismissed

OPINION

PER CURIAM.

In the Court of Appeals Sixth Appellate District of Texas at Texarkana No. 06-25-00105-CV ISAAC MILLS III AND ALL OTHER OCCUPANTS, Appellants V. VR ESTANCIA HOLDINGS, LP, Appellee On Appeal from the County Court at Law No. 2 Denton County, Texas Trial Court No. CV-2025-03180-JP Before Stevens, C.J., van Cleef and Rambin, JJ. Memorandum Opinion by Justice van Cleef MEMORANDUM OPINION Pro se Appellant, Isaac Mills III (Appellant), filed a timely notice of appeal on September 24, 2025.¹ The clerk’s record was filed on November 4, 2025.

Appellant’s brief was due on January 29, 2026. When neither a brief nor a motion to extend time for filing same was received by February 13, 2026, this Court advised Appellant by letter that his

brief was late. We also warned Appellant that the failure to file a brief by March 2, 2026, would subject this appeal to dismissal for want of prosecution. See TEX. R. APP.

P. 38.8(a)(1), 42.3(b), (c). Appellant did not respond to our communication and did not file an appellate brief. Because we received no response to our letter of February 13, 2026, Appellant's appeal is ripe for dismissal for want of prosecution. Consequently, pursuant to Rules 38.8 and 42.3 of the Texas Rules of Appellate Procedure, we dismiss this appeal for want of prosecution.

See TEX. R. APP. P. 38.8(a)(1), 42.3(b), (c). Charles van Cleef Justice Date Submitted: March 30, 2026 Date Decided: March 31, 2026 1 Originally appealed to the Second Court of Appeals, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. See TEX. GOV'T CODE ANN. § 73.001 (Supp.). 2