

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS AT HOUSTON

In the Interest of A.L.P., a Child

In re A.L.P. · No. 01-19-00144-CV · Decided May 21, 2019

SUMMARY

The First District Court of Appeals of Texas ordered the court reporter to prepare and file the reporter's record of a January 22, 2019 hearing in an appeal from a final decree of termination. The court also required the reporter to provide a copy to the pro se appellant and certify delivery, while maintaining the appellant's June 3, 2019 briefing deadline.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas at Houston
WRITING FOR THE COURT	Russell Lloyd
JURISDICTION	Texas
DECIDED	May 21, 2019
DOCKET	01-19-00144-CV
DISPOSITION	other
PROCEDURAL POSTURE	Pro se appeal from the trial court's final decree of termination; the appellate court issued an order directing preparation and filing of a missing reporter's record.
PRECEDENTIAL VALUE	Published procedural order; no reporter citation appears in the source.
PARTIES	C.J.M.

TOPICS

termination of parental rights

family law procedure

appellate procedure

civil procedure

PRACTICE AREAS

family law

appellate procedure

QUESTIONS PRESENTED

1. Whether the appellate court should order preparation and filing of the reporter's record for the January 22, 2019 hearing that appellant requested but that was omitted from the filed record.

HOLDINGS

1. Because appellant requested the reporter's record and the filed record omitted the requested January 22, 2019 hearing, the court reporter was ordered to prepare and file that record within ten days and to provide a copy to appellant.

FACTUAL BACKGROUND

C.J.M. filed a pro se appeal from a final decree terminating the parent-child relationship. He requested preparation of the reporter's record from a January 22, 2019 hearing on the petitioner's motion to waive mediation and for trial setting, but the record filed with the appellate court did not include that hearing.

PROCEDURAL HISTORY

C.J.M. appealed the 505th District Court of Fort Bend County's final decree of termination. After appellant requested the reporter's record of a January 22, 2019 hearing on a motion to waive mediation and for trial setting, the record filed in the appellate court omitted that hearing. The appellate court ordered the court reporter to prepare and file the missing record, provide a copy to appellant, and certify delivery.

DISPOSITION

other

OPINION

in the Interest of A. L. P. a Child

PER CURIAM.

COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON
ORDER

Appellate case name: In the Interest of A.L.P., a Child Appellate case number: 01-19-00144-CV Trial court case number: 18-DCV-252443 Trial court: 505th District Court of Fort Bend County Proceeding pro se, appellant, C.J.M., has filed a notice of appeal of the trial court's final decree of termination. On January 31, 2019, appellant requested preparation of a reporter's record of a hearing conducted on January 22, 2019 on Petitioner's Motion to Waive Mediation and for Trial Setting. See TEX. R. APP. P. 34.6(b), 35.3(b). However, the reporter's record filed in this Court does not include a record of that hearing. See TEX. R. APP. P. 35.3(b). Accordingly, the court reporter is ordered to prepare and file a reporter's record of the January 22, 2019 hearing in this appeal within 10 days of the date of this order. No extensions of time will be granted.¹ See TEX. R. APP. P. 28.4(b)(2), 35.3(c). At the time the record is filed with this Court, the court reporter shall provide a copy of the reporter's record of the January 22, 2019 hearing to appellant at the address he has provided this Court: Curtis McGuire #00226221 Fort Bend County Jail 1410 Williams Way Blvd. Richmond, TX 77469. The court reporter shall certify to the Clerk of this

Court, within 14 days of the date of this order, the date upon which delivery of the record to the appellant is made. Appellant's brief remains due on June 3, 2019. 1 Because this appeal involves the termination of the parent-child relationship, this Court is required to bring the appeal to final disposition within 180 days of the date the notice of appeal was filed, so far as reasonably possible. See Tex. R. Jud. Admin. 6.2, reprinted in Tex. Gov't. Code Ann., tit. 2, subtit. F app. It is so ORDERED. Judge's signature: /s/ Russell Lloyd Acting individually Acting for the Court
Date: _May 21, 2019__