

COURT OF APPEALS FOR THE SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH

Charles Mobley v. Diamond Truck Sales, Inc.

Mobley · No. 02-25-00403-CV · Decided March 26, 2026

SUMMARY

The Texas Court of Appeals for the Second Appellate District affirmed the dismissal with prejudice of Charles Mobley’s suit against Diamond Truck Sales, Inc. under Texas Rule of Civil Procedure 91a. The court held that Mobley’s corrected pro se brief failed to identify or adequately argue any discernible appellate issue, leaving nothing for review.

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Bonnie Sudderth, Chief Justice; Birdwell, Justice; Bassel, Justice
JURISDICTION	Texas Court of Appeals, Second Appellate District at Fort Worth
DECIDED	March 26, 2026
DOCKET	02-25-00403-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mobley appealed pro se from an order of the 67th District Court of Tarrant County dismissing his suit against Diamond Truck Sales, Inc. with prejudice under Texas Rule of Civil Procedure 91a.1.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Charles Mobley v. Diamond Truck Sales, Inc.

TOPICS

- appellate procedure
- waiver
- civil procedure
- consumer protection

PRACTICE AREAS

- Appellate procedure
- Civil procedure
- Consumer protection

QUESTIONS PRESENTED

1. Whether Mobley's corrected pro se appellate brief adequately presented issues and arguments for appellate review.
2. Whether the appeal should be affirmed because Mobley's inadequate briefing waived any appellate complaints and presented nothing for review.

HOLDINGS

1. A pro se appellant must comply with the Texas Rules of Appellate Procedure and must identify the issues or points presented and provide clear and concise arguments; when the appellant fails to do so even after receiving an opportunity to correct the deficiencies, the appeal is inadequately briefed and presents nothing for appellate review.

FACTUAL BACKGROUND

Mobley sued Diamond Truck Sales after purchasing a used truck that allegedly broke down and required repairs. He alleged that Diamond had agreed to make repairs, but the finance company repossessed the truck before the repairs were completed. Mobley sought more than \$202 million in damages and later characterized the matter as a Texas Lemon Law case, although the court concluded that he had not discernibly pleaded a cause of action under that law.

PROCEDURAL HISTORY

Mobley filed suit concerning the purchase and subsequent repossession of a used truck. The trial court dismissed the suit with prejudice. On appeal, the court notified Mobley that his initial brief failed to comply with the Texas Rules of Appellate Procedure and gave him an opportunity to file an amended brief. His corrected brief still failed to identify discernible issues or provide comprehensible legal arguments, so the court held that the appeal presented nothing for review and affirmed.

DISPOSITION

affirmed

CASES CITED

- *Sammour v. Adler*, No. 02-21-00086-CV, 2022 WL 963845, at *2 (Tex. App.—Fort Worth Mar. 31, 2022, no pet.) (mem. op.)
- *RSL Funding, LLC v. Newsome*, 569 S.W.3d 116, 126 (Tex. 2018)
- *Dutchmen Mfg., Inc. v. Tex. Dep't of Transp., Motor Vehicle Div.*, 383 S.W.3d 217, 223 (Tex. App.—Austin 2012, no pet.)