

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS,
CORPUS CHRISTI–EDINBURG

Adrian Ramos v. Peggy Falls Bagnall

No. 13-25-00517-CV, Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg (February 12, 2026)

SUMMARY

The Thirteenth Court of Appeals of Texas dismissed Adrian Ramos’s appeal for failure to pay the appellate filing fee and comply with the clerk’s notice. The court also denied Ramos’s motion for an extension of time to file the notice of appeal because it did not comply with the Texas Rules of Appellate Procedure.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg
WRITING FOR THE COURT	Jon West; Chief Justice Tijerina; Justice Peña; Justice West
JURISDICTION	Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg
DECIDED	February 12, 2026
DOCKET	13-25-00517-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant attempted to appeal an order or judgment but failed to pay the appellate filing fee after receiving notices from the clerk. The court dismissed the appeal and denied an improperly filed motion for extension of time to file the notice of appeal.
PRECEDENTIAL VALUE	Published
PARTIES	Adrian Ramos v. Peggy Falls Bagnall

TOPICS

- appellate procedure
- costs
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the court of appeals could dismiss the appeal because the appellant failed to pay the required appellate filing fee after receiving a clerk's notice.
2. Whether the appellant's motion for an extension of time to file the notice of appeal should be granted when the motion did not comply with the Texas Rules of Appellate Procedure.

HOLDINGS

1. The court may dismiss an appeal when the appellant fails to comply with an appellate-rule requirement or a clerk's notice requiring payment or another action within a specified time; because Ramos failed to pay the appellate filing fee after notice, dismissal was proper.
2. The motion for extension was denied because it failed to comply with the Texas Rules of Appellate Procedure; the court nevertheless treated the motion as filed on the date received.

KEY QUOTATIONS

“This Court has the authority to dismiss an appeal because the appellant has failed to comply with a requirement of the appellate rules, a court order, or a notice from the clerk requiring a response or other action within a specified time.” (2)

“Here, appellant has not paid the appellate filing fee. Accordingly, we dismiss this appeal.” (2)

FACTUAL BACKGROUND

Ramos filed a notice of appeal and did not pay the required \$205 appellate filing fee. The clerk notified him of the delinquency by mailed and hand-delivered notices and advised that the appeal would be dismissed if he failed to pay within ten days. Ramos did not pay the fee or otherwise respond.

PROCEDURAL HISTORY

Ramos filed a notice of appeal on October 15, 2025, from an order or judgment in trial court cause number S-22-5076CV-A. The appellate clerk repeatedly notified him that the \$205 filing fee was delinquent and that the appeal would be dismissed if the fee was not paid within ten days. Ramos neither paid the fee nor responded. He later submitted a motion for extension of time to file a notice of appeal, which the court marked filed as received but denied for failure to comply with the Texas Rules of Appellate Procedure.

DISPOSITION

dismissed

CASES CITED

- Smith v. DC Civil Constr., LLC, 521 S.W.3d 75, 76 (Tex. App.—San Antonio 2017, no pet.)

OPINION

Adrian Ramos v. Peggy Falls Bagnall

PER CURIAM.

NUMBER 13-25-00517-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

ADRIAN RAMOS, Appellant, v. PEGGY FALLS BAGNALL, Appellee.

ON APPEAL FROM THE 36TH DISTRICT COURT

OF SAN PATRICIO COUNTY, TEXAS

MEMORANDUM OPINION

Before Chief Justice Tijerina and Justices Peña and West Memorandum Opinion by Justice West

On October 15, 2025, appellant filed a notice of appeal attempting to appeal an order or judgment in trial court cause number S-22-5076CV-A. On October 17, 2025, the Clerk of the Court requested that appellant pay the \$205.00 filing fee for the notice of appeal within ten days. See TEX. R. APP. P. 5 (“A party who is not excused by statute or these rules from paying costs must pay—at the time an item is presented for filing— whatever fees are required by statute or Supreme Court order. The appellate court may enforce this rule by any order that is just.”); TEX. GOV’T CODE ANN. § 51.207 (delineating the required fees and costs in an appellate court). On November 17, 2025, the Clerk of the Court notified appellant that he was delinquent in submitting the filing fee for the appeal and informed him that the appeal would be dismissed if the filing fee was not paid within 10 days from the date of the notice. See TEX. R. APP. P. 42.3(c). On November 24, 2025, appellant was hand delivered a copy of the notice by the Clerk of the Court. Furthermore, the notice was mailed to appellant via certified mail, and we have received the return receipt. To date, appellant has failed to pay the filing fee for the notice of appeal or otherwise respond to the clerk’s notice. This Court has the authority to dismiss an appeal because the appellant has failed to comply with a requirement of the appellate rules, a court order, or a notice from the clerk requiring a response or other action within a specified time. See *id.* R. 42.3(b), (c); *Smith v. DC Civil Constr., LLC*, 521 S.W.3d 75, 76 (Tex. App.—San Antonio 2017, no pet.). Here, appellant has not paid the appellate filing fee. Accordingly, we dismiss this appeal. See TEX. R. APP. P. 42.3(b), (c). Finally, on November 24, 2025, the Clerk of the Court received a motion for extension to time to file a notice of appeal. However, on the same day, appellant was instructed, by letter notice, that the motion failed to comply with the Texas Rules of Appellate Procedures in several ways. However, an appellate court may--to expedite a decision or for other good cause--suspend a rule’s operation in a particular case and order 2 a different procedure. See *id.* 2. Accordingly, the motion shall be marked filed as of the date received and is hereby denied.

JON WEST

Justice Delivered and filed on the 12th day of February, 2026. 3

