

**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.

OPINION

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 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