

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

In the Interest of E.D., a Child v. the State of Texas

No. 02-26-00079-CV · No. 02-26-00079-CV · Decided March 19, 2026

OPINION

In the Interest of E.D., a Child v. the State of Texas

PER CURIAM.

In the Court of Appeals Second Appellate District of Texas at Fort Worth
_____ No. 02-26-00079-CV _____

IN THE INTEREST OF E.D., A CHILD

On Appeal from the 442nd District Court Denton County, Texas Trial Court No. 20-10169-442
Before Birdwell, Bassel, Womack, JJ. Per Curiam Memorandum Opinion

MEMORANDUM OPINION

Appellant Father,¹ proceeding pro se, attempts to bring a restricted appeal of the trial court's "Order of Dismissal for Want of Prosecution." See Tex. R. App. P. 30. The trial court signed its order on March 4, 2025, so Father's notice of appeal was due September 4, 2025. See Tex. R. App. P. 26.1(c) ("[I]n a restricted appeal, the notice of appeal must be filed within six months after the judgment or order is signed."). However, Father did not file his notice of appeal until February 5, 2026, making it untimely. See *id.* To sustain a restricted appeal, the filing party must show, among other things, that he filed his notice of appeal within six months after the judgment was signed. See *Ex parte E.H.*, 602 S.W.3d 486, 495 (Tex. 2020). This requirement is jurisdictional in this court. *Id.* at 497. Because Father did not file his notice of appeal within six months after the trial court's order was signed, we do not have jurisdiction over his restricted appeal. See *id.*; *Lab'y Corp. of Am. v. Mid-Town Surgical Ctr., Inc.*, 16 S.W.3d 527, 529 (Tex. App.—Dallas 2000, no pet.) (holding that court lacked jurisdiction over restricted appeal because appellant did not file notice of appeal within six months after judgment was signed). We notified Father of our concern that we do not have jurisdiction over his restricted appeal and warned him that we could dismiss the appeal for want of 1 In termination-of-parental-rights cases, we use aliases for the names of the children and their parents. See Tex. Fam. Code Ann. § 109.002(d); Tex. R. App. P. 9.8(b)(2). 2 jurisdiction if he did not file a response showing grounds for continuing it. See Tex. R. App. P. 42.3(a), 44.3. Father filed a response, but it does not show grounds for continuing the appeal. Accordingly, we dismiss this appeal for want of jurisdiction. See Tex. R. App. P. 42.3(a), 43.2(f); *Lab'y Corp. of Am.*, 16 S.W.3d at 529. Per Curiam Delivered: March 19, 2026 3