

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Eula Mack v. AMH 2015-1 Borrower, LP

No. 01-25-00542-CV · No. 01-25-00542-CV · Decided March 19, 2026

SUMMARY

The First Court of Appeals of Texas dismissed Eula Mack’s appeal for want of prosecution after she failed to file her appellate brief by the final deadline. The court also dismissed any pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Per Curiam; Justice Gunn; Justice Caughey; Justice Morgan
JURISDICTION	Texas Court of Appeals for the First District
DECIDED	March 19, 2026
DOCKET	01-25-00542-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from the trial court's final judgment; the appellate court dismissed the appeal for want of prosecution after appellant failed to file her brief.
PRECEDENTIAL VALUE	published
PARTIES	Eula Mack v. AMH 2015-1 Borrower, LP

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

Appellate procedure

Civil procedure

QUESTIONS PRESENTED

- Whether the appeal should be dismissed for want of prosecution because appellant failed to file an appellate brief by the court-ordered deadline.

HOLDINGS

1. An appeal may be dismissed for want of prosecution when the appellant fails to file the required appellate brief by the applicable deadline after being given notice and a final opportunity to comply.

KEY QUOTATIONS

“We dismiss the appeal for want of prosecution for failure to file a brief.” (2)

FACTUAL BACKGROUND

The appeal concerned a final judgment signed by the trial court on May 20, 2025. Appellant Eula Mack proceeded pro se and failed to file an appellate brief by the final deadline imposed after multiple extensions.

PROCEDURAL HISTORY

Eula Mack, proceeding pro se, appealed the final judgment signed by the County Civil Court at Law No. 2 of Harris County on May 20, 2025. After granting multiple extensions, the court set March 13, 2026, as the final deadline for Mack's appellate brief and warned that the appeal could be dismissed. Mack failed to file the brief, and the court dismissed the appeal for want of prosecution.

DISPOSITION

dismissed

OPINION

PER CURIAM.

Opinion issued March 19, 2026 In The Court of Appeals For The First District of Texas NO. 01-25-00542-CV EULA MACK, Appellant V. AMH 2015-1 BORROWER, LP, Appellee On Appeal from the County Civil Court at Law No. 2 Harris County, Texas Trial Court Case No. 1250402 MEMORANDUM OPINION Appellant Eula Mack, proceeding pro se, filed a notice of appeal from the trial court's final judgment signed on May 20, 2025.

Appellant's brief was originally due on September 19, 2025. Appellant was granted multiple extensions to file her brief. On March 3, 2026, we granted appellant the last extension to file a brief, making the brief due on March 13, 2026.

We informed appellant that no further extensions would be granted and that her appeal was subject to dismissal. See TEX. R. APP. P. 38.8(a), 42.3(b), 43.2(f). Appellant failed to file her appellate brief by the stated deadline. See TEX. R. APP. P. 38.6(a), 38.8(a).

We dismiss the appeal for want of prosecution for failure to file a brief. See TEX. R. APP. P. 38.8(a), 42.3(b)–(c), 43.2(f). Any pending motions are dismissed as moot. PER CURIAM Panel consists of Justices Gunn, Caughey, and Morgan. 2

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/texas-court-of-appeals-for-the-first-district-court-of-appeals-for-the-first-district-of-texas/2026/eula-mack-v-amh-2015-1-borrower-lp-5oviz8mo>