

TEXAS COURT OF APPEALS FOR THE FIRST DISTRICT AT HOUSTON

Louis Frias v. Yolanda Rios

No. 01-25-00676-CV (Tex. App.—Houston [1st Dist.] Mar. 5, 2026) · No. No. 01-25-00676-CV · Decided March 5, 2026

SUMMARY

The First Court of Appeals of Texas affirmed a judgment declaring Yolanda Rios the sole owner of disputed real property. The court held that Louis Frias waived his appellate issues by failing to provide meaningful argument and, alternatively, that the absence of a reporter’s record required presumptions supporting the trial court’s judgment and prevented review of certain evidentiary complaints.

CASE DETAILS

COURT	Texas Court of Appeals for the First District at Houston
WRITING FOR THE COURT	Veronica Rivas-Molloy; Johnson; Dokupil
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	March 5, 2026
DOCKET	No. 01-25-00676-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal by Louis Frias from a final judgment entered after a bench trial in favor of Yolanda Rios in a quiet-title action.
STANDARD OF REVIEW	Issues requiring review of the trial evidence cannot generally be decided without a reporter's record. In the absence of a reporter's record, the trial court's findings of fact are conclusive and the appellate court presumes that omitted evidence supports the judgment. The trial judge is the sole judge of witness credibility and the weight of testimony.
PRECEDENTIAL VALUE	Published memorandum opinion; the source metadata identifies it as published, but the opinion itself does not state a separate precedential designation.
PARTIES	Louis Frias v. Yolanda Rios

TOPICS

- appellate procedure
- preservation of error
- standard of review
- evidence
- civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

real estate

evidence

QUESTIONS PRESENTED

1. Whether Frias waived his appellate issues by failing to provide meaningful argument, analysis, explanation, legal authority, and record citations.
2. Whether, without a reporter's record, the court could review Frias's challenges to the sufficiency of the evidence supporting the trial court's ownership judgment.
3. Whether the appellate court could reassess a witness's credibility when the trial record was unavailable and the trial court was the factfinder.
4. Whether Frias preserved his evidentiary complaint concerning testimony about his criminal background when there was no reporter's record and no written objection in the clerk's record.
5. Whether Rios's alleged lateness to court required dismissal of the case.

HOLDINGS

1. Frias waived his appellate issues because his pro se brief merely listed complaints without providing appropriate argument, analysis, explanation, legal authority, or meaningful support.
2. Without a reporter's record, the court could not review Frias's first three issues challenging the sufficiency of the evidence and presumed that sufficient evidence supported the trial court's judgment.
3. The court could not reassess the challenged witness's credibility because the trial court, as factfinder, was the sole judge of witness credibility and the weight of testimony.
4. Frias did not preserve his evidentiary complaint for appellate review because there was no reporter's record and no written objection to the challenged evidence in the clerk's record.

KEY QUOTATIONS

“Failure to cite applicable authority or provide substantive analysis waives an issue on appeal.” (at 3)

“In the absence of a reporter’s record, the trial court’s findings of fact are conclusive and we presume sufficient evidence supported any additional necessary findings.” (at 4)

“The trial court may choose to believe one witness and to disbelieve another, and we may not impose our own opinion to the contrary.” (at 4)

FACTUAL BACKGROUND

Yolanda Rios and Louis Frias asserted competing ownership rights in real property. Rios brought a quiet-title action, and after a bench trial the trial court found that Rios was the sole owner and that any claim by Frias was invalid. On appeal, Frias challenged the sufficiency of the evidence, a witness's credibility, the admission of evidence concerning his criminal background, and Rios's alleged lateness to court.

PROCEDURAL HISTORY

Rios sued Frias to quiet title to real property. After a bench trial, the 61st District Court of Harris County entered final judgment declaring Rios the sole owner and invalidating Frias's claim. Frias appealed pro se, did not obtain or arrange payment for the reporter's record, and proceeded on the clerk's record alone. The court of appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- McCann v. Bluewater Investments Inc., No. 01-19-00375-CV, 2020 WL 4589747, at *3-*4 (Tex. App.—Houston [1st Dist.] Aug. 11, 2020, no pet.)
- Richardson v. Marsack, No. 05-18-00087-CV, 2018 WL 4474762, at *1 (Tex. App.—Dallas Sept. 19, 2018, no pet.)
- Tesoro Petroleum Corp. v. Nabors Drilling USA, Inc., 106 S.W.3d 118, 128 (Tex. App.—Houston [1st Dist.] 2022, pet. denied)
- Hopes-Fontenot v. Farmers New World Life Insurance Co., No. 01-12-00286-CV, 2013 WL 4399218, at *1-*2 (Tex. App.—Houston [1st Dist.] Aug. 15, 2013, no pet.)
- City of Keller v. Wilson, 168 S.W.3d 802, 810-11, 819, 822 (Tex. 2005)
- Van Ness v. Hobbs, No. 01-22-00631-CV, 2023 WL 3311124, at *1 (Tex. App.—Houston [1st Dist.] May 9, 2023, no pet.)
- Bryant v. United Shortline Inc. Assurance Services, N.A., 972 S.W.2d 26, 31 (Tex. 1998)
- Schafer v. Conner, 813 S.W.2d 154, 155 (Tex. 1991)
- Vernco Construction, Inc. v. Nelson, 460 S.W.3d 145, 150 (Tex. 2015) (per curiam)

OPINION

PER CURIAM.

Opinion issued March 5, 2026 In The Court of Appeals For The First District of Texas NO. 01-25-00676-CV LOUIS FRIAS, Appellant V. YOLANDA RIOS, Appellee On Appeal from the 61st District Court Harris County, Texas Trial Court Case No. 2023-71724 MEMORANDUM OPINION Appellee Yolanda Rios sued Appellant Louis Frias to quiet title to real property over which she and Frias assert ownership rights.

Following a bench trial, the court entered a final judgment in favor of Rios finding that Rios is the sole owner of the property and holding that any claim by Frias to the property is invalid. Frias, pro se, appeals from the trial court's final judgment.

We affirm. Issues on Appeal Appellant argues that the judgment of the trial court should be reversed because the judgment was issued in error. In five issues, he argues the trial court erred in concluding Appellee was the rightful owner of the property because (1) there was “evidence

indicating [Appellee] has never paid for any associated costs, including property taxes or funeral expenses,” (2) Appellee “presented no receipts or proof to substantiate her allegations of ownership or financial contributions,” (3) one of the witnesses who testified at trial offered “false” testimony and thus the “witness’s credibility should be re-evaluated,” (4) Appellant’s criminal background “was brought up during the civil case, which was entirely irrelevant to the ownership dispute and may have prejudiced the outcome,” and (5) Appellee “arrived late for court” and the case should have been “dismissed on these grounds.” Briefing Waiver Although we construe pro se briefs liberally, we hold pro se litigants to the same standards as licensed attorneys and require them to comply with applicable laws and rules of procedure.

McCann v. Bluewater Investments Inc., No. 01-19- 00375-CV, 2020 WL 4589747, at *3 (Tex. App.—Houston [1st Dist.] Aug 11, 2020, 2 no pet). Our appellate rules have specific requirements for briefing, requiring “appellants to state concisely their complaints, to provide succinct, clear, and accurate arguments for why their complaints have merit in law and fact, to cite legal authority that is applicable to their complaints, and to cite appropriate references in the record.” Richardson v. Marsack, No. 05-18-00087-CV, 2018 WL 4474762, at *1 (Tex.

App.—Dallas Sept. 19, 2018, no pet.). ““This is not done by merely uttering brief conclusory statements, unsupported by legal citations.”” McCann, 2020 WL 4589747, at *3 (quoting Tesoro Petroleum Corp. v. Nabors Drilling USA, Inc., 106 S.W.3d 118, 128 (Tex. App.—Houston [1st Dist.] 2022, pet. denied).

In listing and briefing his issues on appeal, Appellant does not provide this Court with appropriate argument, analysis, explanation, or support for his issues. He merely lists his issues without any citation to authorities or meaningful discussion. Failure to cite applicable authority or provide substantive analysis waives an issue on appeal. Hopes-Fontenot v. Farmers New Worlds Life Ins.

Co., No. 01-12-00286- CV, 2013 WL 4399218, at *2 (Tex. App.—Houston [1st Dist.] Aug. 15, 2013, no pet). We thus hold that Appellant waived his issues on appeal. See TEX. R. APP. P. 38.1(i); McCann, 2020 WL 4589747, at *4 (holding pro se appellant waived his issues for failure to provide appropriate argument, analysis, explanation, or support for his issues); Hopes-Fontenot, 2013 WL 4399218, at *1 (holding pro se litigant 3 must properly present his case on appeal and that courts may not make allowances or apply different standards for litigants appearing without counsel).

Even if Appellant had not waived his issues on appeal, Appellant would not prevail. Failure to Request a Reporter’s Record The official court reporter notified this Court that Appellant Louis Frias had not requested or made arrangement to pay for the reporter’s record.

We notified Appellant that the reporter’s record was past due and that his appeal could be decided on the clerk’s record if he did not request a reporter’s record and make arrangement for payment of

the record. See TEX. R. APP. P. 37.3(c).

In response, Appellant filed a letter indicating he wanted “to move forward without the reporter[']s record[] [c]ontinuing only on clerk[']s record.” Discussion Without a reporter’s record, we are limited to considering only those issues on appeal that do not require a reporter’s record for decision. *Id.* Appellant’s first three issues challenge the sufficiency of the evidence.

Evaluation of the sufficiency of the evidence supporting the trial court’s judgment requires that we review the evidence submitted during trial. See, e.g., *City of Keller v. Wilson*, 168 S.W.3d 802, 810–11, 822 (Tex. 2005) (setting out standards of review); see also *Van Ness v. Hobbs*, No. 01-22-00631-CV, 2023 WL 3311124, at *1 (Tex. App.—Houston [1st 4 Dist.]

May 9, 2023, no pet.) (mem. op) (same). In the absence of a reporter’s record, the trial court’s findings of fact are conclusive and we presume sufficient evidence supported any additional necessary findings. *Bryant v. United Shortline Inc. Assurance Servs., N.A.*, 972 S.W.2d 26, 31 (Tex. 1998) (“We indulge every presumption in favor of the trial court’s findings in the absence of a [reporter’s record].”); *Schafer v. Conner*, 813 S.W.2d 154, 155 (Tex.

1991) (holding that in absence of reporter’s record, “it is presumed that the omitted evidence supports the trial court’s judgment”). We thus presume the trial court heard sufficient evidence to support its judgment in favor of Appellee.

To the extent Appellant also argues, as part of this third issue, that one of the witnesses was not credible because he gave false testimony, the trial court, as the finder of fact, is the sole judge of the credibility of witnesses and the weight to give their testimony. See *City of Keller*, 168 S.W.3d at 819.

The trial court may choose to believe one witness and to disbelieve another, and we may not impose our own opinion to the contrary. *Id.* We thus overrule Appellant’s first three issues. In his fourth issue, Appellant argues the trial court committed error by admitting testimony about his criminal background. He argues the evidence was not relevant and may have prejudiced the outcome.

A reporter’s record is required “to preserve evidentiary complaints for appellate review when evidence is introduced in open court.” *Vernco Constr., Inc. v. Nelson*, 460 S.W.3d 145, 150 (Tex. 2015) (per 5 curiam). Because there is no written objection to the challenged evidence in the clerk’s record, without the reporter’s record, we cannot conclude that this issue was preserved.

See TEX. R. APP. P. 33.1(a) (setting forth preservation requirements for appellate review); see also *Van Ness*, 2023 WL 3311124, at *1 (overruling evidentiary issue on appeal because no reporter’s record was filed). We overrule Appellant’s fourth issue. Conclusion We affirm the judgment of the

trial court. Veronica Rivas-Molloy Justice Panel consists of Justices Rivas-Molloy, Johnson, and Dokupil.