

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Maria Eugenia Alzate-Rendon and Antonio Montes Fuentes v.
Milagros Tejada-Mancia and Latter & Blum of Texas, LLC d/b/a
Realty Associates

Alzate-Rendon v. Tejada-Mancia · No. 01-25-00942-CV · Decided March 31, 2026

SUMMARY

The First District Court of Appeals dismissed the appeal for want of prosecution because the appellants failed to pay or arrange payment for preparation of the clerk’s record or establish indigence. The court also dismissed pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Per curiam; Justice Rivas-Molloy; Justice Johnson; Justice Dokupil
JURISDICTION	Texas Court of Appeals for the First District
DECIDED	March 31, 2026
DOCKET	01-25-00942-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellants filed a notice of appeal from a trial-court order. After the clerk's record was not timely prepared because appellants had neither paid nor arranged to pay the preparation fee nor established indigence, and after appellants failed to respond to notice that the appeal was subject to dismissal, the court dismissed the appeal for want of prosecution.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Maria Eugenia Alzate-Rendon, Antonio Montes Fuentes v. Milagros Tejada-Mancia, Latter & Blum of Texas, LLC d/b/a Realty Associates

TOPICS

- appellate procedure
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed for want of prosecution when appellants failed to pay or arrange payment for preparation of the clerk's record or establish indigence, and failed to respond to notice of potential dismissal.

HOLDINGS

1. An appeal may be dismissed for want of prosecution when the appellants fail to pay or arrange payment for preparation of the clerk's record or establish indigence, and fail to respond after notice that the appeal is subject to dismissal.

KEY QUOTATIONS

“Accordingly, we dismiss the appeal for want of prosecution.”

FACTUAL BACKGROUND

The opinion contains no material merits facts. Appellants appealed from a trial-court order, but the clerk's record was not prepared because appellants did not pay or arrange to pay the preparation fee or establish indigence. They also failed to respond after being notified that the appeal could be dismissed.

PROCEDURAL HISTORY

The appeal arose from an order of the 61st District Court of Harris County, Texas, in Trial Court Cause No. 2020-26147. The clerk's record was due December 11, 2025, but appellants did not pay or arrange payment for its preparation or establish indigence. Appellants failed to respond after receiving notice that the appeal was subject to dismissal, and the court dismissed the appeal under Texas Rules of Appellate Procedure 37.3(b) and 42.3(b)-(c).

DISPOSITION

dismissed

OPINION

Maria Eugenia Alzate-Rendon and Antonio Montes Fuentes v. Travis Dedeux, Milagros Tejada-Mancia and Latter & Blum of Texas, LLC

PER CURIAM.

Opinion issued March 31, 2026 In The Court of Appeals For The First District of Texas
NO. 01-25-00942-CV

MARIA EUGENIA ALZATE-RENDON AND ANTONIO MONTES

FUENTES, Appellants V.

MILAGROS TEJADA-MANCIA AND LATTER & BLUM OF TEXAS,

LLC D/B/A REALTY ASSOCIATES, Appellees On Appeal from the 61st District Court Harris County, Texas Trial Court Case No. 2020-26147

MEMORANDUM OPINION

Appellants Maria Eugenia Alzate-Rendon and Antonio Montes Fuentes filed a notice of appeal from the trial court's order. The clerk's record was due on December 11, 2025. Appellants have not paid, nor made arrangements to pay the fee for preparing the clerk's record or establish indigence. See TEX. R. APP. P. 37.3(b). After being notified that this appeal was subject to dismissal, Appellants failed to respond. Accordingly, we dismiss the appeal for want of prosecution. See TEX. R. APP. P. 37.3(b), 42.3(b)–(c). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Rivas-Molloy, Johnson, and Dokupil. 2