

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

Starr Francis v. Shah Hiren

No. 02-25-00610-CV (Tex. App.—Fort Worth Feb. 12, 2026) (mem. op.) · No. No. 02-25-00610-CV · Decided February 12, 2026

SUMMARY

The Texas Court of Appeals for the Second Appellate District dismissed Starr Francis’s appeal for want of jurisdiction. The court held that her motion challenging the trial court’s determination regarding her inability to pay court costs was filed after the ten-day deadline under Texas Rule of Civil Procedure 145(g).

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Per Curiam; Birdwell, J.; Bassel, J.; Womack, J.
JURISDICTION	Court of Appeals for the Second Appellate District of Texas at Fort Worth
DECIDED	February 12, 2026
DOCKET	No. 02-25-00610-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se appeal from an order determining that Appellant was not unable to pay court costs. The court of appeals dismissed the appeal for want of jurisdiction because Appellant's motion challenging the order was untimely.
STANDARD OF REVIEW	The court reviewed its jurisdiction and dismissed under Texas Rule of Appellate Procedure 42.3(a) when the appellant failed to timely seek review and failed to demonstrate grounds for continuing the appeal.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Starr Francis v. Shah Hiren

TOPICS

- appellate jurisdiction
- appellate procedure
- civil procedure
- costs

PRACTICE AREAS

civil procedure

appellate procedure

indigency and court costs

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction to review Francis's challenge to the trial court's indigency determination when her motion under Texas Rule of Civil Procedure 145(g) was filed more than ten days after the trial court's order.
2. Whether Francis's response to the court's jurisdictional notice established grounds for continuing the appeal.

HOLDINGS

1. A motion challenging a trial court's order under Texas Rule of Civil Procedure 145(g) must be filed within ten days after the order is signed; Francis's November 12, 2025 motion challenging the October 13, 2025 order was untimely.
2. Because Francis did not timely seek review of the trial court's order, the court of appeals dismissed the appeal for want of jurisdiction.

KEY QUOTATIONS

“The motion must be filed within 10 days after the trial court’s order is signed.” (at 1)

“Because Appellant did not timely seek review of the trial court’s order, we dismiss this appeal for want of jurisdiction.” (at 2)

FACTUAL BACKGROUND

The trial court signed an order on October 13, 2025, determining that Starr Francis was not unable to pay court costs. Francis filed her challenge on November 12, 2025, more than ten days after the order was signed.

PROCEDURAL HISTORY

The Denton County Court at Law No. 2 signed an order on October 13, 2025, determining that Starr Francis was not unable to pay court costs. Francis filed an instrument styled as an appeal of the denial of her pauper's affidavit on November 12, 2025. The court of appeals construed the filing as a motion under Texas Rule of Civil Procedure 145(g), notified Francis of its concern that the appeal was untimely and jurisdictionally defective, and dismissed after her response failed to show grounds for continuing the appeal.

DISPOSITION

dismissed

CASES CITED

- In re Strickland, 703 S.W.3d 841, 845–46 (Tex. App.—Austin 2024, orig. proceeding)

- Brown v. Hawkins, No. 05-16-01427-CV, 2018 WL 1312467, at *4–5 (Tex. App.—Dallas Mar. 14, 2018, no pet.) (mem. op.)

OPINION

Starr Francis v. Shah Hiren

PER CURIAM.

In the Court of Appeals Second Appellate District of Texas at Fort Worth
_____ No. 02-25-00610-CV _____ STARR
FRANCIS, Appellant V. SHAH HIREN, Appellee On Appeal from County Court at Law No. 2
Denton County, Texas Trial Court No. CV-2025-04071-JP Before Birdwell, Bassel, and Womack,
JJ. Per Curiam Memorandum Opinion

MEMORANDUM OPINION

Appellant Starr Francis, appearing pro se, attempts to challenge the trial court’s order determining that she is not unable to pay court costs. On November 12, 2025, Appellant filed an “Appeal of Denial of Pauper’s Affidavit Pursuant to Texas Rule of Civil Procedure 145(g),” which we construe as a “motion” under Rule 145(g). See Tex. R. Civ. P. 145(g)(1) (permitting declarant to challenge trial court’s order by motion filed in court of appeals). The trial court’s order was signed on October 13, 2025, making Appellant’s motion due on or before October 23, 2025. See Tex. R. Civ. P. 145(g)(2) (“The motion must be filed within 10 days after the trial court’s order is signed.”). Appellant’s November 12, 2025 motion was therefore untimely. See *id.* Because Appellant’s motion was untimely, we notified her of our concern that we lack jurisdiction over this appeal. See *id.* We informed Appellant that this appeal could be dismissed for want of jurisdiction unless she filed a response showing grounds for continuing it. See Tex. R. App. P. 42.3(a), 44.3. Appellant has filed a response, but it does not show grounds for continuing the appeal. 2 Because Appellant did not timely seek review of the trial court’s order, we dismiss this appeal for want of jurisdiction. 1 See Tex. R. App. P. 42.3(a). Per Curiam Delivered: February 12, 2026 1 In reaching this disposition, we do not assume or opine whether the trial court followed the correct indigency contest procedures applicable to small claims cases originating in justice court. See Tex. R. Civ. P. 500.1(a), (e), 506.1; *In re Strickland*, 703 S.W.3d 841, 845–46 (Tex. App.—Austin 2024, orig. proceeding) (discussing former Tex. R. Civ. P. 500.3, current version at Tex. R. Civ. P. 500.1); *Brown v. Hawkins*, No. 05-16-01427-CV, 2018 WL 1312467, at *4 (Tex. App.—Dallas Mar. 14, 2018, no pet.) (mem. op.) (same). We also note that this disposition does not affect Appellant’s ability to appeal any subsequent dismissal by the county court for failure to pay court costs and appeal bond. Cf. *Brown*, 2018 WL 1312467, at *4–5. 3