

COURT OF APPEALS OF TEXAS, SIXTH APPELLATE DISTRICT AT
TEXARKANA

Lewis E. Gibson v. PNC Bank, National Association

Gibson · No. No. 06-25-00076-CV · Decided January 7, 2026

SUMMARY

The Sixth Court of Appeals of Texas at Texarkana dismissed Lewis E. Gibson’s appeal for want of prosecution after he failed to file an appellate brief or respond to the court’s notice regarding the late filing. The dismissal was entered pursuant to Texas Rules of Appellate Procedure 38.8 and 42.3.

CASE DETAILS

COURT	Court of Appeals of Texas, Sixth Appellate District at Texarkana
WRITING FOR THE COURT	Justice Charles van Cleef; Chief Justice Stevens; Justice van Cleef; Justice Rambin
JURISDICTION	Court of Appeals of Texas, Sixth Appellate District at Texarkana
DECIDED	January 7, 2026
DOCKET	No. 06-25-00076-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Gibson appealed from the 202nd District Court of Bowie County, Texas, but failed to file an appellate brief after receiving notice and an opportunity to cure the late filing.
PRECEDENTIAL VALUE	published
PARTIES	Lewis E. Gibson v. PNC Bank, National Association

TOPICS

appellate procedure civil procedure

PRACTICE AREAS

appellate procedure civil procedure

QUESTIONS PRESENTED

- Whether the appeal should be dismissed for want of prosecution when the appellant failed to file an appellate brief after notice of the delinquency and a warning that the appeal could be dismissed.

HOLDINGS

1. An appeal may be dismissed for want of prosecution when the appellant fails to file an appellate brief after the appellate court provides notice that the brief is late and warns that continued noncompliance may result in dismissal.

FACTUAL BACKGROUND

Lewis E. Gibson timely initiated an appeal from a Bowie County district court judgment. He was proceeding pro se and did not file the required appellate brief by the deadline or after the appellate court gave him additional notice and a final opportunity to comply.

PROCEDURAL HISTORY

Gibson filed a timely notice of appeal on August 25, 2025. After the clerk's record was filed, his pro se appellate brief was due November 7, 2025. The court notified him that the brief was late and warned that failure to file it by December 9, 2025, could result in dismissal. Gibson neither responded nor filed a brief, so the court dismissed the appeal for want of prosecution.

DISPOSITION

dismissed