

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Jonathan W. Neal v. ShadowCreek Apartments

No. 01-25-00262-CV, Court of Appeals for the First District of Texas (March 26, 2026)

SUMMARY

The First District Court of Appeals of Texas dismissed Jonathan W. Neal’s pro se appeal for want of prosecution after he failed to file an appellant’s brief or request an extension by the court-ordered deadline. The appeal concerned a trial court judgment awarding ShadowCreek Apartments possession of the premises.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Chief Justice Adams; Justice Guerra; Justice Guiney
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	March 26, 2026
DOCKET	01-25-00262-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se appellant appealed the trial court's judgment and possession order. After appellant failed to file an appellate brief or respond to the court's notice, the court dismissed the appeal for want of prosecution.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Jonathan W. Neal v. ShadowCreek Apartments

TOPICS

- appellate procedure
- civil procedure
- eviction

PRACTICE AREAS

- appellate procedure
- civil procedure
- landlord-tenant

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed for want of prosecution when the appellant failed to file an appellate brief or otherwise respond to the court's notice.

HOLDINGS

1. An appeal may be dismissed for want of prosecution when the appellant fails to file a required brief or otherwise respond after receiving notice and an opportunity to cure the omission.

KEY QUOTATIONS

“We dismiss this appeal for want of prosecution.” (at 2)

FACTUAL BACKGROUND

The trial court entered a judgment and order providing that ShadowCreek Apartments was entitled to recover possession of the premises. After filing a notice of appeal, Jonathan W. Neal did not file the required appellate brief or a motion for extension by the deadlines established by the court.

PROCEDURAL HISTORY

The County Civil Court at Law No. 4 of Harris County entered a March 27, 2025 judgment and order awarding ShadowCreek Apartments possession of the premises. Neal filed a notice of appeal, but failed to file his brief by the June 30, 2025 deadline or respond by the August 4, 2025 deadline stated in the court's notice. The court dismissed the appeal for want of prosecution and dismissed pending motions as moot.

DISPOSITION

dismissed

OPINION

PER CURIAM.

Opinion issued March 26, 2026 In The Court of Appeals For The First District of Texas NO. 01-25-00262-CV JONATHAN W. NEAL, Appellant V. SHADOWCREEK APARTMENTS, Appellee On Appeal from the County Civil Court at Law No. 4 Harris County, Texas Trial Court Case No. 1246206 MEMORANDUM OPINION Appellant, who is proceeding pro se, filed a notice of appeal from the trial court's March 27, 2025 judgment and order that appellee, Shadow Creek Apartments, was entitled to recover possession of the premises.

Appellant's brief was due on June 30, 2025. When the brief was not filed, the Court issued a notice advising appellant that unless he filed a brief or motion for extension by August 4, 2025, the appeal might be dismissed for want of prosecution. No brief or response was received.

We dismiss this appeal for want of prosecution. See TEX. R. APP. P. 42.3(b), 43.2(f). Any pending motions are dismissed as moot. PER CURIAM Panel consists of Chief Justice Adams and Justices Guerra and Guiney. 2

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