

TEXAS COURT OF APPEALS, FOURTH DISTRICT, SAN ANTONIO

Yua Lee v. Lonestar Capital Assets Inc.

No. 04-25-00548-CV (Tex. App.—San Antonio Feb. 25, 2026) · No. 04-25-00548-CV · Decided February 25, 2026

SUMMARY

The Fourth Court of Appeals of Texas dismissed Yua Lee’s appeal for want of prosecution after Lee failed to file an appellant’s brief and a required written response. The court relied on Texas Rule of Appellate Procedure 38.8(a)(1) and 42.3(b)–(c).

CASE DETAILS

COURT	Texas Court of Appeals, Fourth District, San Antonio
WRITING FOR THE COURT	Rebeca C. Martinez, Chief Justice; Irene Rios, Justice; Lori I. Valenzuela, Justice
JURISDICTION	Texas Court of Appeals, Fourth District, San Antonio
DECIDED	February 25, 2026
DOCKET	04-25-00548-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal dismissed for want of prosecution after the appellant failed to file a required appellate brief and written response.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Yua Lee v. Lonestar Capital Assets Inc.

TOPICS

[appellate procedure](#)[civil procedure](#)

PRACTICE AREAS

[Appellate procedure](#)[Civil procedure](#)

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed for want of prosecution because appellant failed to timely file an appellate brief and failed to comply with the court's order requiring a brief and written response.

HOLDINGS

1. When an appellant fails to timely file a required appellate brief and does not comply with an order directing the appellant to file the brief and an explanatory written response, the appeal may be dismissed for want of prosecution.

KEY QUOTATIONS

“Because appellant failed to timely file a brief in this appeal, this appeal is dismissed for want of prosecution.” (at 2)

FACTUAL BACKGROUND

Appellant's brief was originally due on September 27, 2025. After notice that the brief was overdue, the court ordered appellant to file the brief and a written response within ten days, but appellant filed neither and had not filed a brief as of the court's decision.

PROCEDURAL HISTORY

The appeal arose from County Court at Law No. 3 of Bexar County, Texas, trial court cause number 2025-CV-06331. After the appellant's brief became overdue, the court of appeals ordered appellant to file the brief and a written response explaining the delay and addressing potential injury to appellee. Appellant failed to comply, and the court dismissed the appeal for want of prosecution.

DISPOSITION

dismissed

OPINION

Yua Lee v. Lonestar Capital Assets Inc.

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas

MEMORANDUM OPINION

No. 04-25-00548-CV Yua LEE, Appellant v.

LONESTAR CAPITAL ASSETS INC.,

Appellee From the County Court at Law No. 3, Bexar County, Texas Trial Court No. 2025-CV-06331 Honorable David J. Rodriguez, Judge Presiding

PER CURIAM

Sitting: Rebeca C. Martinez, Chief Justice Irene Rios, Justice Lori I. Valenzuela, Justice Delivered and Filed: February 25, 2026

DISMISSED FOR WANT OF PROSECUTION

Appellant’s brief was originally due on September 27, 2025. On November 4, 2025, the clerk of court notified appellant by letter that appellant’s brief was past due. On December 9, 2025, we

ordered appellant to file, within ten days of the order, appellant's brief and a written response reasonably explaining: (1) appellant's failure to timely file a brief, and (2) why appellee is not significantly injured by appellant's failure to timely file a brief. We warned that if appellant failed to timely file a brief and the written response, we would dismiss this appeal for want of 04-25-00548-CV prosecution. See TEX. R. APP. P. 38.8(a)(1), 42.3(b)–(c). Appellant did not file a brief and written response as ordered, and, to date, appellant has not filed a brief. Because appellant failed to timely file a brief in this appeal, this appeal is dismissed for want of prosecution. See *id.*

PER CURIAM

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