

COURT OF APPEALS OF TEXAS, FOURTEENTH DISTRICT

In the Interest of R.R.S., a Child

No. 14-21-00350-CV · No. 14-21-00350-CV · Decided August 12, 2021

SUMMARY

The Fourteenth Court of Appeals of Texas dismissed an appeal for want of jurisdiction because the notice of appeal was filed after the deadline and the appellant failed to provide a reasonable explanation or file a motion to extend time. The court concluded that the appeal could not proceed under the applicable Texas Rules of Appellate Procedure.

OPINION

PER CURIAM.

Appeal Dismissed and Memorandum Opinion filed August 12, 2021. In The Fourteenth Court of Appeals NO. 14-21-00350-CV IN THE INTEREST OF R.R.S., A CHILD On Appeal from the 308th District Court Harris County, Texas Trial Court Cause No. 2020-12963 MEMORANDUM OPINION This is an appeal from a judgment signed May 24, 2021.

The notice of appeal was due June 14, 2021. See Tex. R. App. P. 26.1. Appellant, however, filed his notice of appeal on June 23, 2021, a date within 15 days of the due date for the notice of appeal. See *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997). Appellant did not file a motion to extend time to file the notice of appeal. While an extension may be implied, appellant is still obligated to come forward with a reasonable explanation to support the late filing.

See *Miller v. Greenpark Surgery Center Assocs., Ltd.*, 974 S.W.2d 805, 808 (Tex. App.—Houston [14th Dist.] 1998, no pet.). On July 20, 2021, we ordered appellant to file a proper motion to extend time to file the notice of appeal on or before July 30, 2021. See Tex. R. App. P. 26.3, 10.5(b). Appellant did not file such a motion.

Therefore, we dismiss the appeal for want of jurisdiction. See Tex. R. App. P. 42.3. PER CURIAM Panel consists of Justices Wise, Bourliot, and Zimmerer. 2