

TEXAS COURT OF APPEALS FOR THE FIRST DISTRICT

Gloria Vazquez v. Jonatan Garcia

No. 01-25-00285-CV, Texas Court of Appeals for the First District (January 27, 2026)

SUMMARY

The First Court of Appeals of Texas dismissed Gloria Vazquez's appeal for want of prosecution because she failed to file an appellate brief after being notified that the brief was overdue. The court also dismissed any pending motions as moot.

CASE DETAILS

COURT	Texas Court of Appeals for the First District
WRITING FOR THE COURT	Chief Justice Adams; Justice Gunn; Justice Johnson
JURISDICTION	Texas Court of Appeals for the First District
DECIDED	January 27, 2026
DOCKET	01-25-00285-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal dismissed for want of prosecution after appellant failed to file an appellate brief.
PRECEDENTIAL VALUE	published
PARTIES	Gloria Vazquez v. Jonatan Garcia

TOPICS

- appellate procedure
- civil procedure

PRACTICE AREAS

- Appellate procedure
- Civil procedure

QUESTIONS PRESENTED

- Whether the appeal should be dismissed for want of prosecution because the appellant failed to file an appellate brief after notice and an opportunity to cure the deficiency.

HOLDINGS

1. An appeal may be dismissed for want of prosecution when the appellant fails to file a required appellate brief after receiving notice of the deficiency and an opportunity to obtain an extension.
2. Pending motions become moot when the appeal is dismissed.

KEY QUOTATIONS

“We dismiss the appeal for want of prosecution for failure to file a brief.” (at 2)

FACTUAL BACKGROUND

The appellant, proceeding pro se, failed to file an appellate brief. After receiving notice that the brief was overdue and that the appeal could be dismissed, she neither filed the brief nor responded to the court's directive.

PROCEDURAL HISTORY

Gloria Vazquez appealed from the County Civil Court at Law No. 3 of Harris County, Texas. After the appellate clerk notified her that her brief was past due and that the appeal was subject to dismissal, the court directed her to file the brief and an extension motion within ten days. She did not respond, and the court dismissed the appeal and dismissed pending motions as moot.

DISPOSITION

dismissed

OPINION

PER CURIAM.

Opinion issued January 27, 2026 In The Court of Appeals For The First District of Texas NO. 01-25-00285-CV GLORIA VAZQUEZ, Appellant V. JONATAN GARCIA, Appellee On Appeal from the County Civil Court at Law No. 3 Harris County, Texas Trial Court Case No. 1248189 MEMORANDUM OPINION Appellant Gloria Vazquez, proceeding pro se, failed to file a brief. See TEX. R. APP.

P. 38.6(a), 38.8(a). On August 28, 2025, the Clerk of this Court notified appellant that her appellate brief was past due, and her appeal was subject to dismissal. See TEX. R. APP. P. 38.8(a), 42.3(b), 43.2(f). We directed appellant to file her brief and a motion requesting an extension to file the brief within 10 days of our notice. Appellant did not respond.

See TEX. R. APP. P. 42.3(b), (c). We dismiss the appeal for want of prosecution for failure to file a brief. See TEX. R. APP. P. 38.8(a), 42.3(b), 43.2(f). We dismiss any pending motions as moot. PER CURIAM Panel consists of Chief Justice Adams and Justices Gunn and Johnson. 2