

FOURTEENTH COURT OF APPEALS OF TEXAS

In the Matter of J.A.A., Jr. v. State

No. 14-20-00729-CV · No. 14-20-00729-CV · Decided November 19, 2020

OPINION

PER CURIAM.

Order filed November 19, 2020 In The Fourteenth Court of Appeals _____ NO. 14-20-00729-CV _____ IN THE MATTER OF J.A.A., JR. On Appeal from County Court at Law No. 4 Fort Bend County, Texas Trial Court Cause No. 20-CJV-023528 ORDER This is an accelerated appeal from an order of a juvenile court waiving jurisdiction and transferring appellant to criminal district court signed October 2, 2020.

The notice of appeal was due October 22, 2020. See Tex. Fam. Code Ann. § 56.01(h); Tex. R. App. P. 26.1(b). Appellant, however, filed his notice of appeal on October 26, 2020, a date within 15 days of the due date for the notice of appeal. A motion for extension of time is necessarily implied when the perfecting instrument is filed within 15 days of its due date.

Verburgt v. Dorner, 959 S.W.2d 615, 617 (Tex. 1997); see Hone v. Hanafin, 104 S.W.3d 884, 885 (Tex. 2003) (per curiam) (applying Verburgt to accelerated appeals). 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.). Accordingly, we ORDER appellant to file a proper motion to extend time to file the notice of appeal on or before November 30, 2020. See Tex. R. App. P. 26.3, 10.5(b). If appellant does not comply with this order, we may dismiss the appeal.

See Tex. R. App. P. 42.3. PER CURIAM Panel consists of Justices Christopher, Wise, and Hassan.