

COURT OF APPEALS FOR THE SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH

Marjorie Washington v. Felix Apt S2CC, LLC

No. 02-25-00411-CV (Tex. App.—Fort Worth June 11, 2026) (mem. op.) · No. No. 02-25-00411-CV · Decided June 11, 2026

SUMMARY

The Court of Appeals for the Second Appellate District of Texas dismissed Marjorie Washington’s appeal for want of prosecution. The court found that she failed to timely file her appellate brief and did not file a motion for leave reasonably explaining the delay, despite receiving multiple opportunities and notices.

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Per Curiam; Bassel; Womack; Wallach
JURISDICTION	Court of Appeals for the Second Appellate District of Texas at Fort Worth
DECIDED	June 11, 2026
DOCKET	No. 02-25-00411-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal dismissed for want of prosecution after the appellant failed to timely file a brief and failed to file a motion for leave or extension reasonably explaining the failure.
PRECEDENTIAL VALUE	published memorandum opinion
PARTIES	Marjorie Washington v. Felix Apt S2CC, LLC

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 the appellant failed to timely file a brief and failed to file a motion for leave reasonably explaining the delay and need for an extension.

HOLDINGS

1. The appeal must be dismissed for want of prosecution when the appellant fails to timely file a brief and, after being afforded multiple opportunities, fails to file a motion for leave reasonably explaining the untimely filing and the need for an extension.

KEY QUOTATIONS

“Because Appellant has failed to file a motion for leave reasonably explaining the failure to timely file a brief and the need for an extension even after we afforded her multiple opportunities to do so, we dismiss the appeal for want of prosecution.” (2)

FACTUAL BACKGROUND

The appellant's brief was due on February 6, 2026. Although the appellant filed a brief on March 13, 2026, she did not file the required motion for extension or motion for leave explaining the untimely filing. The court sent multiple notices warning that the appeal could be dismissed and setting deadlines for a compliant motion, but the appellant filed no response.

PROCEDURAL HISTORY

The appeal came from County Court at Law No. 3 of Tarrant County, Texas, trial court number 2025-002620-3. The appellant's brief was due February 6, 2026, but was not timely filed. After receiving multiple notices and opportunities to file a motion for leave explaining the untimely brief and need for an extension, the appellant did not respond, and the court dismissed the appeal for want of prosecution.

DISPOSITION

dismissed