

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Maria Nava Hernandez v. GSMV the Bellfort Owner LLC

Hernandez v. GSMV the Bellfort Owner LLC · No. 01-26-00013-CV · Decided April 16, 2026

SUMMARY

The First Court of Appeals of Texas dismissed Maria Nava Hernandez’s appeal for lack of jurisdiction. The notice of appeal was filed more than thirty days after the final judgment, and no timely post-judgment motion or extension motion made the filing timely.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Per Curiam; Justice Gunn; Justice Caughey; Justice Morgan
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	April 16, 2026
DOCKET	01-26-00013-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant sought review of a final judgment, but the court dismissed the appeal for lack of jurisdiction because the notice of appeal was untimely.
STANDARD OF REVIEW	The court determined its appellate jurisdiction based on the timeliness of the notice of appeal.
PRECEDENTIAL VALUE	Published
PARTIES	Maria Nava Hernandez v. GSMV the Bellfort Owner LLC

TOPICS

- appellate jurisdiction
- final judgment rule
- appellate procedure
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

- Whether the court had appellate jurisdiction when appellant filed her notice of appeal more than thirty days after the final judgment and did not establish entitlement to an extended deadline.

HOLDINGS

1. Because appellant did not timely file her notice of appeal, did not file a post-judgment motion extending the deadline, and did not satisfy the requirements for an extension under Texas Rule of Appellate Procedure 26.3, the court lacked jurisdiction over the appeal.

KEY QUOTATIONS

“Because the notice of appeal was not timely filed, this Court lacks jurisdiction over the appeal.”

“Accordingly, we dismiss the appeal for lack of jurisdiction.”

FACTUAL BACKGROUND

The trial court signed a final judgment on October 20, 2025. Appellant filed her notice of appeal on December 12, 2025, more than fifty-three days after the judgment, and the record contained no post-judgment motion extending the filing deadline. Appellant also did not respond to the appellate court's jurisdictional notice.

PROCEDURAL HISTORY

The County Civil Court at Law No. 1 of Harris County signed a final judgment on October 20, 2025. No post-judgment motion extending the appellate deadline appeared in the clerk's record. Appellant filed her notice of appeal on December 12, 2025. After the appellate court notified her that it might dismiss the appeal unless she established appellate jurisdiction, she did not respond.

DISPOSITION

dismissed

CASES CITED

- In the Interest of K.A.F., A Child, 160 S.W.3d 923, 928 (Tex. 2005)

OPINION

PER CURIAM.

Opinion issued April 16, 2026 In The Court of Appeals For The First District of Texas NO. 01-26-00013-CV MARIA NAVA HERNANDEZ, Appellant V. GSMV THE BELLFORT OWNER LLC, Appellee On Appeal from the County Civil Court at Law No. 1 Harris County, Texas Trial Court Case No. 1260922 MEMORANDUM OPINION Appellant is attempting to appeal from a final judgment signed on October 20, 2025.

The clerk's record contains no post-judgment motion that would extend the deadline for filing a notice of appeal. Appellant filed her notice of appeal on December 12, 2025. We issued a notice that the Court might dismiss her appeal unless she filed a response establishing this Court's jurisdiction and appellant did not respond.

We dismiss. A notice of appeal is generally required to be filed within thirty days after judgment is signed. See TEX. R. APP. P. 26.1. This deadline may be extended to ninety days after the judgment is signed if appellant files a timely post-judgment motion such as a motion for new trial. See TEX. R. CIV. P. 329b.

The appellate court may also extend the time to file the notice of appeal if, within fifteen days after the deadline for filing the notice, appellant files the notice of appeal in the trial court and a motion for extension of time in the appellate court. See TEX. R. APP. P. 26.3.

In this case, appellant did not file a notice of appeal until more than fifty-three (53) days after the judgment was signed. The provision for extension of time to file the notice of appeal in Rule 26.3 was inapplicable because appellant did not file the notice of appeal within fifteen days after the deadline. See *id.* Because the notice of appeal was not timely filed, this Court lacks jurisdiction over the appeal.

See *In the Interest of K.A.F., A Child*, 160 S.W.3d 923, 928 (Tex. 2005). Accordingly, we dismiss the appeal for lack of jurisdiction. See TEX. R. APP. P. 42.3(a), 43.2(f). Any pending motions are dismissed as moot. PER CURIAM Panel consists of Justices Gunn, Caughey, and Morgan. 2