

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Michael Scranton, Jr. v. Micheal Hicks

No. 01-25-00517-CV · No. 01-25-00517-CV · Decided December 18, 2025

SUMMARY

The First District Court of Appeals of Texas dismissed Michael Scranton, Jr.'s appeal for want of prosecution because he failed to file an appellate brief. The court denied pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Rivas-Molloy; Justice Guiney; Justice Morgan
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	December 18, 2025
DOCKET	01-25-00517-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed from the County Civil Court at Law No. 3 in Harris County, Texas, but failed to file an appellate brief after being notified that the brief was past due and that the appeal was subject to dismissal.
PRECEDENTIAL VALUE	Published
PARTIES	Michael Scranton v. Micheal Hicks

TOPICS

[appellate procedure](#) [civil procedure](#)

PRACTICE AREAS

[appellate procedure](#) [civil procedure](#)

QUESTIONS PRESENTED

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

HOLDINGS

1. An appellate court may dismiss an appeal for want of prosecution when the appellant fails to file a required brief after receiving notice that the brief is overdue and an opportunity to request an extension; because appellant did not file the brief or respond to the notice, dismissal was warranted.

KEY QUOTATIONS

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

FACTUAL BACKGROUND

Appellant Michael Scranton proceeded pro se in the appeal. He failed to file an appellate brief, and after the clerk notified him that the brief was past due and that the appeal was subject to dismissal, he did not file the required brief or respond to the court's direction.

PROCEDURAL HISTORY

The appeal arose from the County Civil Court at Law No. 3, Harris County, Texas. The First Court of Appeals notified appellant that his brief was overdue and directed him to file the brief and a motion for extension within ten days. Appellant did not respond, and the court dismissed the appeal for want of prosecution.

DISPOSITION

dismissed

OPINION

PER CURIAM.

Opinion issued December 18, 2025 In The Court of Appeals For The First District of Texas NO. 01-25-00517-CV MICHAEL SCRANTON, Appellant V. MICHEAL HICKS, Appellee On Appeal from the County Civil Court at Law No. 3 Harris County, Texas Trial Court Case No. 1252450 MEMORANDUM OPINION Appellant Michael Scranton, proceeding pro se, failed to file a brief. See TEX. R. APP.

P. 38.6(a), 38.8(a). On November 5, 2025, the Clerk of this Court notified Appellant that his appellate brief was past due, and his appeal was subject to dismissal. See TEX. R. APP. P. 38.8(a), 42.3(b), 43.2(f). We directed Appellant to file his 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 deny any pending motions as moot. PER CURIAM Panel consists of Justices Rivas-Molloy, Guiney, and Morgan. 2