

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Jeana Cobb v. Belle Oaks Apartments

No. 03-25-00667-CV · No. No. 03-25-00667-CV · Decided November 26, 2025

SUMMARY

The Texas Court of Appeals dismissed Jeana Cobb’s appeal for want of prosecution because she failed to pay or arrange payment of the clerk’s record fee and did not respond to the court’s notice. The court noted that Cobb had not established eligibility to proceed without payment of costs under the applicable Texas rules.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Gisela D. Triana; Justice Kelly; Justice Theofanis
JURISDICTION	Texas Court of Appeals, Third District, at Austin
DECIDED	November 26, 2025
DOCKET	No. 03-25-00667-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed from the County Court at Law No. 1 of Bell County. The appeal was dismissed after the clerk's record was not filed because appellant failed to pay or arrange payment of the trial clerk's fee and failed to respond to the appellate court's notice.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Jeana Cobb v. Belle Oaks Apartments

TOPICS

- appellate procedure
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the court of appeals could dismiss the appeal for want of prosecution when the clerk's record was not filed because appellant failed to pay or arrange payment of the clerk's fee and failed to respond

to the court's notice.

HOLDINGS

1. When a trial-court clerk fails to file the clerk's record because an appellant failed to pay or arrange payment of the clerk's fee, the appellate court may dismiss the appeal for want of prosecution unless the appellant was entitled to proceed without payment of costs.

FACTUAL BACKGROUND

The clerk's record was not filed because appellant failed to pay or make arrangements to pay the trial clerk's fee for preparing it. Appellant also failed to respond to the appellate court's notice or establish that she was entitled to proceed without payment of costs.

PROCEDURAL HISTORY

The clerk's record was due on October 27, 2025, but was not filed because appellant had not paid or arranged payment of the preparation fee. The appellate court notified appellant on November 13, 2025, directed her to arrange for the record and file a status report by November 24, 2025, and warned that noncompliance could result in dismissal. Appellant did not respond, did not establish entitlement to proceed without payment of costs, and the court dismissed the appeal for want of prosecution.

DISPOSITION

dismissed