

COURT OF APPEALS OF TEXAS, FOURTH DISTRICT, SAN ANTONIO

In the Interest of B.L.B., et al.

No. 04-15-00485-CV · No. 04-15-00485-CV · Decided September 30, 2015

SUMMARY

The Texas Fourth Court of Appeals dismissed an appeal from an order terminating parental rights for want of jurisdiction. The appellant filed the notice of appeal after the deadline for an accelerated appeal and after the expiration of the applicable extension period.

OPINION

in the Interest of B.L.B.

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas

MEMORANDUM OPINION

No. 04-15-00485-CV IN THE INTEREST OF B.L.B., et al. From the 81st Judicial District Court, Wilson County, Texas Trial Court No. 14-02-0060-CVW Honorable Melissa Uram-Degerolami, Judge Presiding

PER CURIAM

Sitting: Rebeca C. Martinez, Justice Patricia O. Alvarez, Justice Luz Elena D. Chapa, Justice
Delivered and Filed: September 30, 2015

DISMISSED FOR WANT OF JURISDICTION

Appellant Terrell Lynn Bush seeks to appeal from a final order terminating his parental rights. An appeal from such an order is accelerated. See TEX. FAM. CODE ANN. § 263.405. The trial court entered the final order of termination on May 13, 2015. Because this is an accelerated appeal, the notice of appeal was due on June 2, 2015. See TEX. R. APP. P. 26.1(b) (requiring notice of appeal to be filed within twenty days after the judgment is signed in an accelerated appeal; filing of a motion for new trial does not extend the appellate deadline). A motion for extension of time to file the notice of appeal was therefore due on June 17, 2015. See TEX. R. APP. P. 26.3 (providing a fifteen-day grace period after the deadline for filing notice of appeal). Appellant filed his notice of appeal on July 31, 2015, well after the deadlines for filing the notice of appeal and motion for extension of time to file the notice of appeal had expired. See *id.* Once the period for granting a 04-15-00485-CV motion for extension of time under Rule 26.3 has passed, a party can no longer invoke the appellate court's jurisdiction. *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997). On August 20, 2015, this court ordered appellant to show cause in writing within thirty days why this appeal should not be dismissed for want of jurisdiction. Appellant responded by letter stating that he did not know the appeal was accelerated. The fact that appellant's notice of appeal was filed

late and after expiration of the period for requesting an extension deprives this court of jurisdiction in this matter. Id. Accordingly, the appeal must be dismissed for want of jurisdiction. See TEX. R. APP. P. 42.3(a).

PER CURIAM

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