

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS,  
CORPUS CHRISTI–EDINBURG

Angel Ramos Hernandez and Bettzy Itzel Ramos Hernandez v. D&D  
Plaza, LLC

Ramos Hernandez v. D&D Plaza · No. 13-25-00686-CV · Decided February 26, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas dismissed the appeal for want of prosecution because the appellants failed to pay the required appellate filing fee or respond to the clerk's notices. The court relied on Texas Rules of Appellate Procedure 5 and 42.3(b)-(c), as well as Texas Government Code section 51.207.

CASE DETAILS

|                       |                                                                                                                                                                                                                                 |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg                                                                                                                                                  |
| WRITING FOR THE COURT | Justice Jenny Cron; Justice Silva; Justice Cron; Justice Fonseca                                                                                                                                                                |
| JURISDICTION          | Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg                                                                                                                                                  |
| DECIDED               | February 26, 2026                                                                                                                                                                                                               |
| DOCKET                | 13-25-00686-CV                                                                                                                                                                                                                  |
| DISPOSITION           | dismissed                                                                                                                                                                                                                       |
| PROCEDURAL POSTURE    | Appellants appealed a final judgment from the County Court at Law No. 5 of Hidalgo County. The court of appeals dismissed the appeal after appellants failed to pay the appellate filing fee or respond to the clerk's notices. |
| PRECEDENTIAL VALUE    | Published memorandum opinion                                                                                                                                                                                                    |
| PARTIES               | Angel Ramos Hernandez, Bettzy Itzel Ramos Hernandez v. D&D Plaza, LLC                                                                                                                                                           |

TOPICS

- appellate procedure
- costs
- civil procedure

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether the court of appeals could dismiss the appeal for failure to pay the required appellate filing fee and failure to comply with the clerk's notices.

## HOLDINGS

1. The court may dismiss an appeal when an appellant fails to comply with an appellate-rule requirement, a court order, or a clerk's notice requiring a response or other action within a specified time; because appellants failed to pay the appellate filing fee or respond to the clerk's notice, the appeal was dismissed for want of prosecution.

## KEY QUOTATIONS

*“Specifically, this Court has the authority to dismiss an appeal because the appellant has failed to comply with a requirement of the appellate rules, a court order, or a notice from the clerk requiring a response or other action within a specified time.” (2)*

*“Accordingly, we dismiss this appeal for want of prosecution.” (2)*

## FACTUAL BACKGROUND

The appeal concerned a final judgment signed by the Hidalgo County Court at Law No. 5. The appellants filed a notice of appeal but did not pay the required \$205 appellate filing fee after receiving two notices from the appellate clerk. They also failed to respond to the clerk's delinquency notice.

## PROCEDURAL HISTORY

The trial court signed a final judgment on November 12, 2025, in cause number CL-25-3051-E. Appellants filed a notice of appeal on December 29, 2025. After the clerk requested payment of the \$205 filing fee and later notified appellants that the appeal would be dismissed unless payment was made within ten days, appellants neither paid the fee nor responded.

## DISPOSITION

dismissed

## CASES CITED

- Smith v. DC Civil Constr., LLC, 521 S.W.3d 75, 76 (Tex. App.—San Antonio 2017, no pet.)