

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

J. M. v. Texas Department of Family and Protective Services

J. M. v. Tex. Dep't of Fam. & Protective Servs., No. 03-21-00605-CV (Tex. App.—Austin Jan. 25, 2022) · No. 03-21-00605-CV · Decided January 25, 2022

SUMMARY

The Texas Court of Appeals, Third District, grants appellant J. M.'s motion for an extension of time to file a brief in an accelerated parental-rights termination appeal. The court orders counsel to file the brief by February 7, 2022, and warns that failure to do so may result in a show-cause order regarding contempt.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Per Curiam; Justice Goodwin; Justice Baker; Justice Triana
JURISDICTION	Texas
DECIDED	January 25, 2022
DOCKET	03-21-00605-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellant sought an extension of time to file his brief in an appeal from a suit for termination of parental rights.
PRECEDENTIAL VALUE	Published order; no reporter citation appears in the supplied text.
PARTIES	J. M. v. Texas Department of Family and Protective Services

TOPICS

termination of parental rights parental rights appellate procedure contempt

PRACTICE AREAS

family law appellate procedure

QUESTIONS PRESENTED

1. Whether appellant should receive an extension of time to file his appellate brief in an accelerated termination-of-parental-rights appeal.

FACTUAL BACKGROUND

The appeal arose from a suit for termination of parental rights. The appellate record was completed on December 29, 2021, and appellant's brief was due on January 18, 2022. Appellant's counsel requested additional time to file the brief.

PROCEDURAL HISTORY

J. M. filed a notice of appeal on November 16, 2021. After the appellate record became complete on December 29, 2021, appellant's brief was due January 18, 2022. Appellant's counsel moved for an extension on that date, and the court granted the motion, setting February 7, 2022, as the deadline.

DISPOSITION

other

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-21-00605-CV J. M., Appellant v. Texas Department of Family and Protective Services, Appellee FROM THE 22ND DISTRICT COURT OF HAYS COUNTY NO. 19-1123, GLENN H. DEVLIN, JUDGE PRESIDING ORDER PER CURIAM Appellant J. M. filed his notice of appeal on November 16, 2021.

The appellate record was complete on December 29, 2021, making appellant's brief due on January 18, 2022. On January 18, 2022, counsel for appellant has filed a motion for extension of time to file appellant's brief.

The rules of judicial administration accelerate the final disposition of appeals from suits for termination of parental rights. See Tex. R. Jud. Admin. 6.2(a) (providing 180 days for court's final disposition). The accelerated schedule constrains this Court's leeway in granting extensions.

In this instance, we will grant the motion and order Terry Wesley Baker to file appellant's brief no later than February 7, 2022. If the brief is not filed by that date, counsel may be required to show cause why he should not be held in contempt of court. It is ordered on January 25, 2022.

Before Justices Goodwin, Baker, and Triana 2