

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Robert L. Griffin v. Alycia Renae Cruz

No. 01-25-00657-CV · No. 01-25-00657-CV · Decided January 29, 2026

SUMMARY

The Texas Court of Appeals for the First District dismissed Robert L. Griffin’s appeal from a protective order because he failed to pay the appellate filing fee and clerk’s-record fee or establish indigence. The court also dismissed pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Per Curiam; Justice Guerra; Justice Caughey; Justice Dokupil
JURISDICTION	Texas Court of Appeals for the First District
DECIDED	January 29, 2026
DOCKET	01-25-00657-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from a protective order signed by the 461st District Court of Brazoria County, Texas.
PRECEDENTIAL VALUE	published
PARTIES	Robert L. Griffin v. Alycia Renae Cruz

TOPICS

- appellate procedure
- costs
- civil procedure

PRACTICE AREAS

- Appellate procedure
- Civil procedure
- Protective orders

QUESTIONS PRESENTED

- Whether the appeal should be dismissed because the appellant failed to pay the appellate filing fee and the clerk's-record fee, failed to establish indigence, and failed to respond to the court’s notices.

HOLDINGS

1. An appeal may be involuntarily dismissed when the appellant fails to pay the required filing and clerk's-record fees, fails to establish indigence, and fails to respond after notice that dismissal may result.

KEY QUOTATIONS

“We dismiss the appeal.”

FACTUAL BACKGROUND

The appeal arose from a protective order signed on July 22, 2025. The appellant did not pay the appellate filing fee or the fee for the clerk's record, did not establish indigence, and did not respond to the court's notices concerning those deficiencies.

PROCEDURAL HISTORY

The trial court signed a protective order on July 22, 2025. On appeal, the appellant failed to pay the filing fee and the fee for the clerk's record and did not establish indigence after receiving notices warning that the appeal could be dismissed. The Court of Appeals dismissed the appeal and dismissed pending motions as moot.

DISPOSITION

dismissed

OPINION

PER CURIAM.

Opinion issued January 29, 2026 In The Court of Appeals For The First District of Texas NO. 01-25-00657-CV ROBERT L. GRIFFIN, Appellant V. ALYCIA RENAE CRUZ, Appellee On Appeal from the 461st District Court Brazoria County, Texas Trial Court Case No. 135012-F MEMORANDUM OPINION This is an appeal from a protective order signed July 22, 2025. Appellant has not paid for the clerk's record or the required filing fee and has not established indigence for purposes of appellate costs.

See TEX. R. APP. P. 5, 20.1 (indigence), 37.3(b) (allowing dismissal of appeal if no clerk's record filed due to appellant's fault); see also TEX. GOV'T CODE §§ 51.207, 51.208, 51.851(b), 51.941(a); Order Regarding Fees Charged in the Supreme Court, in Civil Cases in the Courts of Appeals, and Before the Judicial Panel on Multi-District Litigation, and in the Business Court, Misc.

Docket No. 24-9047 (Tex. July 26, 2024), reprinted in TEX. R. APP. P. app. A. § B(1) (listing fees in courts of appeals). Appellant failed to respond to our notices of September 22, 2025 (non-payment for the filing fee) and September 25, 2025 (non-payment for clerk's record), which advised appellant that, should he not pay the fee for the clerk's record or the filing fee or establish indigence, this appeal was subject to dismissal.

See TEX. R. APP. P. 5 (allowing enforcement of rule), 37.3(b) (allowing dismissal of appeal if no clerk's record filed due to appellant's fault), 42.3(c) (allowing involuntary dismissal of case). Appellant has not responded to this Court's notices.

We dismiss the appeal. See TEX. R. APP. P. 42.3, 43.2(f). We dismiss any pending motions as moot. PER CURIAM Panel consists of Justices Guerra, Caughey, and Dokupil. 2