

AFFIRMED and Opinion Filed June 5, 2020



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-19-00714-CV

IN THE INTEREST OF I.H.J., A CHILD

**On Appeal from the 256th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-18-11128**

MEMORANDUM OPINION

**Before Justices Bridges, Pedersen, III, and Evans
Opinion by Justice Bridges**

Damont Richardson appeals the trial court's order establishing the parent-child relationship between Richardson and I.H.J. and ordering Richardson to pay child support. In July 2019, Richardson filed his initial pro se "briefing" which consisted of a single-page letter. This Court, by letter dated July 15, 2019, notified Richardson that his pro se brief did not comply with the rules of appellate procedure and ordered Richardson to file an amended brief that complied with rule 38.1 or his appeal might be dismissed. In September 2019, Richardson filed an amended brief.

We construe liberally pro se pleadings and briefs; however, we hold pro se litigants to the same standards as licensed attorneys and require them to comply with

applicable laws and rules of procedure. *Mansfield State Bank v. Cohn*, 573 S.W.2d 181, 184-85 (Tex. 1978). To do otherwise would give a pro se litigant an unfair advantage over a litigant who is represented by counsel. *Shull v. United Parcel Serv.*, 4 S.W.3d 46, 53 (Tex. App.—San Antonio 1999, pet. denied). The law is well established that, to present an issue to this Court, a party's brief shall contain, among other things, a concise, nonargumentative statement of the facts of the case, supported by record references, and a clear and concise argument for the contention made with appropriate citations to authorities and the record. TEX. R. APP. P. 38.1; *McIntyre v. Wilson*, 50 S.W.3d 674, 682 (Tex. App.—Dallas 2001, pet. denied). Bare assertions of error, without argument or authority, waive error. *See Sullivan v. Bickel & Brewer*, 943 S.W.2d 477, 486 (Tex. App.—Dallas 1995, writ denied); *see also Fredonia State Bank v. Gen. Am. Life Ins. Co.*, 881 S.W.2d 279, 284 (Tex. 1994) (appellate court has discretion to waive point of error due to inadequate briefing). When a party fails to adequately brief a complaint, he waives the issue on appeal. *Devine v. Dallas County*, 130 S.W.3d 512, 514 (Tex. App. —Dallas 2004, no pet.).

Under the heading “Issues Presented,” Richardson’s amended brief states the following:

At the hearing of this case there were many factors that were overlooked.

- 1) Police Report
- 2) Defendant’s Facts on Case (I, Damont)
- 3) Confessions of Plaintiff ([I.H.J.’s mother])

4) Truth on Matter

Richardson cites no legal authority in his brief and makes no citations to the clerk's record. Although Richardson refers to a "hearing," there is no reporter's record in this case, but there is a July 21, 2019 letter from the trial court's official court reporter stating "not a motion, a trial, or any kind of hearing has been taken by me in this case." In effect, Richardson's amended brief is his initial letter "brief" with additional headings and unsubstantiated factual assertions regarding the sexual encounter between Richardson and I.H.J.'s mother.

Richardson fails to provide a clear and concise argument for his contentions with appropriate citations to authorities and the record. *See* TEX. R. APP. P. 38.1; *McIntyre*, 50 S.W.3d at 682. Because Richardson's issues are bare assertions of error, without supporting argument or authority, we conclude he has waived our review of his complaints. *Washington v. Bank of New York*, 362 S.W.3d 853, 854 (Tex. App.—Dallas 2012, no pet.). Moreover, because Richardson has failed to bring forward a reporter's record, we presume the evidence supports the trial court's findings. *See Bennett v. Cochran*, 96 S.W.3d 227, 230 (Tex. 2002) ("[C]ourt of appeals was correct in holding that, absent a complete record on appeal, it must presume the omitted items supported the trial court's judgment."). We overrule Richardson's issues.

We affirm the trial court's judgment.

/David L. Bridges/
DAVID L. BRIDGES
JUSTICE

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

IN THE INTEREST OF I.H.J., A
CHILD

No. 05-19-00714-CV

On Appeal from the 256th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DF-18-11128.
Opinion delivered by Justice Bridges.
Justices Pedersen, III and Evans
participating.

In accordance with this Court's opinion of this date, the judgment of the trial court is **AFFIRMED**.

It is **ORDERED** that appellee Anitra Victoria Jones recover her costs of this appeal from appellant Damont Richardson.

Judgment entered June 5, 2020.