

**AFFIRM; Opinion Filed June 8, 2020**



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

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**No. 05-19-00446-CV**

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**JONI DODD, Appellant**

**V.**

**MONA A/K/A MONICA WOOTEN, JOHNNY WOOTEN, MARK MASON,  
BILL MASON, SEAN DODD, RONNIE BURKETT, RONNIE BURKETT,  
JR., JERRY BURGETT, LINDA BROWN, AND GAYLORD BROWN,  
Appellees**

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**On Appeal from the 298th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-18-02912**

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**MEMORANDUM OPINION**

Before Justices Schenck, Molberg, and Nowell  
Opinion by Justice Schenck

Joni Dodd, a pro se litigant, appeals from the trial court's judgment dismissing his claims against appellees Sean Dodd, Linda Brown, and Gaylord Brown and awarding a take-nothing judgment in favor of remaining appellees Mona a/k/a Monica Wooten, Johnny Wooten, Mark Mason, Bill Mason, Ronnie Burkett, Ronnie Burkett, Jr., and Jerry Burgett. Appellant failed to comply with the briefing requirements of our appellate rules after having been given the opportunity to do so. Thus, he waived his complaint. Because all dispositive issues are settled in law, we

issue this memorandum opinion. *See* TEX. R. APP. P. 47.2(a), 47.4. We affirm the trial court's judgment.

### **BACKGROUND**

On June 20, 2019, appellant filed his appellate brief. On June 25, this Court sent written notice to appellant that his brief did not satisfy the minimum requirements of the rules of appellate procedure. The notice advised appellant that his brief was deficient as follows:

1. The brief did not contain a complete list of all parties to the trial court's judgment or appealable order with the names and addresses of all trial and appellate counsel.
2. The brief did not contain a table of contents with references to the pages of the brief.
3. The table of contents did not indicate the subject matter of each issue or point, or group of issues or points.
4. The brief did not contain an index of authorities arranged alphabetically and indicating the pages of the brief where the authorities were cited.
5. The brief did not contain a concise statement of the case, the course of proceedings, and the trial court's disposition of the case supported by record references.
6. The brief did not concisely state all issues or points presented for review.
7. The brief did not contain a concise statement of the facts supported by record references.
8. The brief did not contain a succinct, clear, and accurate statement of the arguments made in the body of the brief.
9. The argument did not contain appropriate citations to authorities.
10. The argument did not contain appropriate citations to the record.

11. The brief did not contain a short conclusion that clearly stated the nature of the relief sought.
12. The brief was not double spaced.
13. The brief did not contain a proper certificate of compliance.
14. The brief did not contain a proper certificate of service.
15. The following were omitted from the appendix.
  - a. The trial court's judgment.
  - b. The jury charge and verdict, if any, or the trial court's findings of fact and conclusions of law, if any.
  - c. The text of any rule, regulation, ordinance, statute, constitutional provision, or other law (excluding case law) on which the argument was based.
  - d. The text of any contract or other document that was central to the argument.

*See* TEX. R. APP. P. 9.5, 38.1.

Over the next two months, appellant filed two motions requesting more time to amend his brief. We granted each of them. On August 12, 2019, this Court granted appellant's second request for extension of time. In that same order, we cautioned appellant no further extensions would be granted and that failure to file an amended brief on or before September 16, 2019, could result in the appeal being dismissed without further notice. On November 22, 2019, appellant filed a motion to abate the appeal. We denied that motion. Appellant failed to file an amended brief as ordered, and the appeal was submitted on his deficient brief.

## DISCUSSION

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. *In re N.E.B.*, 251 S.W.3d 211, 211–12 (Tex. App.–Dallas 2008, no pet.). To do otherwise would give a pro se litigant an unfair advantage over a litigant who is represented by counsel. *Id.* at 212. The law is well established that, to present an issue to this Court, a party’s brief shall contain, among other things, a concise, non-argumentative 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. When a party, despite notice and an opportunity to cure, fails to adequately brief a complaint, he waives the issue on appeal. *See* TEX. R. APP. P. 44.3; *Bertaud v. Wolner Indus.*, No. 05-15-00620-CV, 2017 WL 1360197, at \*2 (Tex. App.–Dallas Apr. 12, 2017, no pet.) (mem. op.).

The record shows the trial court conducted a bench trial on appellant’s claims against appellees at which appellant and seven appellees appeared pro se.<sup>1</sup> Appellant’s brief is comprised of three numbered statements and appears to complain that (1) a different judge presided over each of two hearings, (2) the evidence does not support the judgment in favor of Mona Wooten or Sean Dodd,

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<sup>1</sup> Appellees Sean Dodd, Linda Brown, and Gaylord Brown did not appear at trial or file an answer.

and (3) the appellees wrongfully sold property owned by appellant. Even assuming any of these issues constituted reversible error, appellant has failed to provide us with argument, analysis, or authorities that would entitle him to relief on appeal. *See Bertaud*, 2017 WL 1360197, at \*3. Accordingly, we need not further address appellant's issues.

### CONCLUSION

We affirm the trial court's judgment.

/David J. Schenck/

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DAVID J. SCHENCK  
JUSTICE

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

**JUDGMENT**

JONI DODD, Appellant

No. 05-19-00446-CV        V.

MONA A/K/A MONICA WOOTEN,  
JOHNNY WOOTEN, MARK  
MASON, BILL MASON, SEAN  
DODD, RONNIE BURKETT,  
RONNIE BURKETT, JR., JERRY  
BURGETT, LINDA BROWN, AND  
GAYLORD BROWN, Appellees

On Appeal from the 298th Judicial  
District Court, Dallas County, Texas  
Trial Court Cause No. DC-18-02912.  
Opinion delivered by Justice  
Schenck. Justices Molberg and  
Nowell participating.

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

It is **ORDERED** that appellees MONA A/K/A MONICA WOOTEN, JOHNNY WOOTEN, MARK MASON, BILL MASON, SEAN DODD, RONNIE BURKETT, RONNIE BURKETT, JR., JERRY BURGETT, LINDA BROWN, AND GAYLORD BROWN recover their costs of this appeal from appellant JONI DODD.

Judgment entered this 8th day of June, 2020.