

DISMISS and Opinion Filed June 12, 2020



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

No. 05-19-01403-CV

**CELIA WILLIAMS, Appellant
V.
RICKY WILLIAMS, Appellee**

**On Appeal from the 302nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. CV-19-00337**

MEMORANDUM OPINION

Before Justices Whitehill, Osborne, and Carlyle
Opinion by Justice Whitehill

This is an appeal from the trial court’s order dismissing appellant’s application for a protective order. Because the order recites the application was dismissed at appellant’s request, we questioned appellant’s standing to file the appeal and, in turn, our jurisdiction. *See McAllen Med. Ctr., Inc. v. Cortez*, 66 S.W.3d 227, 234 (Tex. 2001) (“[S]tanding requires that the controversy adversely affect the party seeking review.”); *Tex. Ass’n of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 443 (Tex. 1993) (“Subject matter jurisdiction is essential to the authority of a court to decide a case. Standing is implicit in the concept of subject matter jurisdiction.”).

By letter dated May 4, 2020, we directed appellant to file, no later than May 14, 2020, a letter brief addressing the Court's concern. Rather than filing the letter brief, appellant filed a motion for extension of time. The motion, however, was rejected on May 15, 2020 for non-compliance with the rules of appellate procedure, and appellant was instructed to file a compliant motion within three days. *See* TEX. R. APP. P. 9. To date, appellant has not filed an amended motion or otherwise communicated with the Court.

Our letter directing appellant to file a jurisdictional letter brief cautioned her that failure to comply could result in dismissal of the appeal without further notice. *See id.* 42.3(a),(c). As the record reflects appellant requested the dismissal of her application for a protective order, she was not adversely affected by the order of dismissal and lacks standing to bring this appeal. *See McAllen Med. Ctr.*, 66 S.W.3d at 234. Accordingly, we dismiss the appeal for lack of jurisdiction. *See* TEX. R. APP. P. 42.3(a); *Tex. Ass'n of Bus.*, 852 S.W.2d at 443.

/Bill Whitehill/

BILL WHITEHILL
JUSTICE

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

JUDGMENT

CELIA WILLIAMS, Appellant

No. 05-19-01403-CV V.

RICKY WILLIAMS, Appellee

On Appeal from the 302nd Judicial
District Court, Dallas County, Texas
Trial Court Cause No. CV-19-00337.

Opinion delivered by Justice
Whitehill, Justices Osborne and
Carlyle participating.

In accordance with this Court's opinion of this date, we **DISMISS** the
appeal.

Judgment entered June 12, 2020.