

DISMISS and Opinion Filed April 28, 2021



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

No. 05-21-00162-CV

ALLEN FORD AND RAQUEL S. FORD, Appellants

V.

**ROSEMARIE SAMUELS, INDEPENDENT ADMINISTRATOR OF THE
ESTATE OF HATTIE B. JOHNSON, DECEASED, Appellee**

**On Appeal from the County Court at Law No. 4
Dallas County, Texas
Trial Court Cause No. CC-20-05457-D**

MEMORANDUM OPINION

Before Chief Justice Burns, Justice Molberg, and Justice Smith
Opinion by Chief Justice Burns

Appellants who are appearing before the Court pro se each filed a notice of appeal. The Court questioned its jurisdiction over this appeal because appellants' notices of appeal were untimely. We informed appellants that their notices of appeal were filed within the fifteen-day grace period and that they could remedy the timeliness problem by filing extension motions by March 29, 2021. *See* Tex. R. App. P. 26.3. We cautioned appellants that failure to file extension motions within the time specified would result in dismissal of the appeal without further notice. As of today's date, appellants have not filed the requested extension motions.

The trial court signed the appealed order on January 28, 2021. Appellants did not file a post-judgment motion extending the appellate deadline. Accordingly, the notices of appeal were due on Monday, March 1, 2021. *See* TEX. R. APP. P. 4.1(a), 26.1. An extension of time may be granted if an appellant files a notice of appeal within fifteen days of the deadline and an extension motion. *See id.* 26.3. Without a timely filed notice of appeal, this Court lacks jurisdiction. *See id.* 25.1(b).

Appellant filed their respective notices of appeal on March 12, 2021, eleven days late. Because appellants did not timely file the notices of appeal or obtain an extension of time to file the notices of appeal, we dismiss the appeal for want of jurisdiction. *See id.* 42.3(a).

/Robert D. Burns, III/
ROBERT D. BURNS, III
CHIEF JUSTICE

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

JUDGMENT

ALLEN FORD AND
RAQUEL S. FORD, Appellants

No. 05-21-00162-CV V.

ROSEMARIE SAMUELS,
INDEPENDENT
ADMINISTRATOR OF THE
ESTATE OF HATTIE B.
JOHNSON, DECEASED, Appellee

On Appeal from the County Court at
Law No. 4, Dallas County, Texas
Trial Court Cause No. CC-20-05457-
D.

Opinion delivered by Chief Justice
Burns. Justices Molberg and Smith
participating.

In accordance with this Court's opinion of this date, the appeal is
DISMISSED.

Judgment entered April 28, 2021