



**Fourth Court of Appeals**  
**San Antonio, Texas**

May 29, 2020

No. 04-20-00025-CV

Diana Martinez **MCGLOWN**,  
Appellant

v.

**WELLS FARGO BANK, N.A.**,  
Appellee

From the County Court at Law No. 3, Bexar County, Texas  
Trial Court No. 2018CV05083  
Honorable Melissa Vara, Judge Presiding

**O R D E R**

Sitting: Rebeca C. Martinez, Justice  
Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice

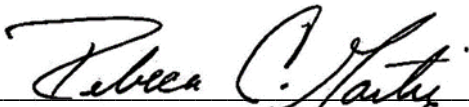
On April 1, 2020, we issued an order retaining this appeal on the docket of this court and ordering appellant to file a brief by May 1, 2020. We reminded appellant, who is proceeding pro se, that her brief must comply with the Texas Rules of Appellate Procedure. *See* Tex. R. App. P. 9.1, 9.4, 9.5, 9.9, 38.1.

On March 31, 2020, appellant mailed to this court a one-page document entitled "Brief," in which she requests a date and time to present her case. On April 10, 2020, appellant mailed to this court another one-page document entitled "Brief," in which she again requests an opportunity to present her case. Appellant's second "Brief" also asserts that the trial court erred by failing to consider evidence and requests that the trial court's judgment be reversed.

Each of appellant's "Briefs" fails to conform to the requirement imposed by the Texas Rules of Appellate Procedure. Among other things, the briefs violate Rule 38 of the Texas Rules of Appellate Procedure in that neither includes a table of contents and index of authorities. *See* Tex. R. App. P. 38.1(b), (c). The briefs also violate Rule 38 in that neither includes a statement of facts with citations to the record, an argument with citations to authority and to the record, and an appendix with a copy of the trial court's judgment or other order from which relief is sought. *See id.* R. (g), (i), (k). Additionally, the briefs violate Rules 9.1, 9.4, and 9.5 of the Texas Rules

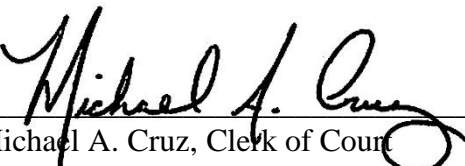
of Appellate Procedure in that appellant did not sign the briefs and in that the briefs do not contain certificates of compliance or of service. *See id.* R. 9.1(b), 9.4(i)(3), 9.5(d).

It is therefore ORDERED that the “Briefs” filed by appellant are STRICKEN from our record. It is further ORDERED that appellant file an amended brief, in compliance with Rules 9.1, 9.4, 9.5, and 38.1, that (1) contains a table of contents and index of authorities that reference the pages of the brief, (2) contains appropriate citations to the authorities and to the record, (3) includes an appendix with a copy of the trial court’s judgment or other order from which relief is sought, (4) contains a certificate of compliance and a certificate of service; and (5) is signed by appellant. It is further ORDERED that appellant’s amended brief is due to be filed in this court no later than June 30, 2020, or this appeal will be dismissed for want of prosecution. *See id.* R. 38.9, 42.3.

  
\_\_\_\_\_  
Rebeca C. Martinez, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 29th day of May, 2020.



  
\_\_\_\_\_  
Michael A. Cruz, Clerk of Court