

Opinion issued June 30, 2020



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00024-CV

IN THE INTEREST OF Z.R. AND Z.R., Children

**On Appeal from the 314th District Court
Harris County, Texas
Trial Court Case No. 2017-05595J**

MEMORANDUM OPINION

Appellant, L.L., appeals from an order terminating her parental rights. We dismiss this appeal for want of prosecution.

Appellant filed a pro se notice of appeal on December 28, 2018. Although the notice of appeal was filed in December 2018, the Harris County District Clerk did not assign this appeal to this Court until January 9, 2020, more than a year after

the appeal should have been assigned, thereby delaying the adjudication of this appeal within the priority deadlines established by the Texas Supreme Court. *See* TEX. R. JUD. ADMIN. 6.2(a), *reprinted in* TEX. GOV'T CODE, tit. 2, subtit. F app. (appeals from orders terminating parent-child relationship are to be brought to final disposition within 180 days of date notice of appeal is filed).

The clerk's record was filed on January 9, 2020. The clerk's record indicates that appellant was represented in the trial court by more than one retained attorney, including Sara Bloome in December 2017, and William J. Rice Jr. from May 2018 through entry of the final order of termination on December 13, 2018. Although appellant filed a pro se motion for new trial and notice of appeal, the clerk's record indicates that retained counsel JoAnne Nwaogu filed a request for findings of fact and conclusions of law on March 23, 2020. Nwaogu has never appeared in this Court or responded to any orders of this Court, nor does the record indicate that she filed a motion to withdraw.

Two court reporters were involved in this case. In January 2020, one court reporter, Shannon Simmons, filed a notice stating that no one had requested the preparation or filing of a reporter's record. Court reporter Julia Rangel filed a notice stating that a record had been requested but that no payment arrangements had been made for the filing of the record. The clerk's record shows that the trial court

determined appellant not to be indigent. Appellant has not claimed indigence in this Court.

On January 30, 2020, the Clerk of this Court issued a letter notifying appellant that the filing fee had not been paid and that the appeal might be dismissed for failure to pay if no payment was received by March 2, 2020. This letter was returned to the Court as undeliverable.

On March 3, 2020, the Court issued an order advising appellant and retained counsel Nwaogu that, because no payment arrangements had been made for the filing of the reporter's record, the Court would consider those issues that did not require consideration of the reporter's record. *See* TEX. R. APP. P. 37.3(c). The Court set a deadline for appellant's brief to be filed by March 23, 2020. No brief or motion for extension was filed.

On April 7, 2020, the Court issued notice to appellant and retained counsel Nwaogu that the brief was overdue and that unless a brief or motion for extension was filed within 10 days, the Court might be dismissed for want of prosecution. No response or motion for extension was received.

Accordingly, the Court dismisses this case for want of prosecution. *See* TEX. R. APP. P. 38.8(a)(1); 42.3. Any pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Kelly, Goodman, and Hightower.