

Order filed July 2, 2020



In The
Fourteenth Court of Appeals

NO. 14-20-00349-CV

**METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY,
TEXAS, Appellant**

V.

LEBRODERICK WILLIAMS AND RODERICK JELKS, Appellees

**On Appeal from the 190th District Court
Harris County, Texas
Trial Court Cause No. 2018-89979**

O R D E R

This is an appeal from an order signed April 8, 2020. The notice of appeal was due April 28, 2020. *See* Tex. R. App. P. 26.1. Appellant, however, filed the notice of appeal on May 1, 2020, a date within 15 days of the due date for the notice of appeal. A motion for extension of time is necessarily implied when the perfecting instrument is filed within 15 days of its due date. *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997). Appellant did not file a motion to extend time to

file the notice of appeal. While an extension may be implied, appellant is still obligated to come forward with a reasonable explanation to support the late filing. *See Miller v. Greenpark Surgery Center Assocs., Ltd.*, 974 S.W.2d 805, 808 (Tex. App.—Houston [14th Dist.] 1998, no pet.).

Accordingly, we **ORDER** appellant to file a proper motion to extend time to file the notice of appeal on or before **10 days** after the date of this order. *See* Tex. R. App. P. 26.3;10.5(b). If appellant does not comply with this order, we will dismiss the appeal. *See* Tex. R. App. P. 42.3.

PER CURIAM

Panel consists of Chief Justice Frost and Justices Zimmerer and Poissant.