

Order filed July 14, 2020



In The  
**Fourteenth Court of Appeals**

---

NO. 14-20-00488-CV

---

**CURTIS TYLER ON BEHALF OF MINOR (M.T.) AN INDIVIDUAL,  
Appellant**

**V.**

**INTERVALE CAPITAL, INC., A CORPORATION; CHARLES  
CHERRINGTON, AN INDIVIDUAL; AND DOES 1-50, INCLUSIVE,  
Appellees**

---

**On Appeal from the 269th District Court  
Harris County, Texas  
Trial Court Cause No. 2019-85047**

---

**O R D E R**

This is an appeal from a judgment signed May 17, 2020. The notice of appeal was due June 16, 2020. *See* Tex. R. App. P. 26.1. Appellant, however, filed the notice of appeal on June 30, 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 **July 24, 2020**. *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 Justices Christopher, Jewell, and Hassan.