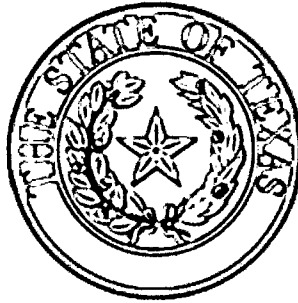


XIV. APPENDIX

VI. APPENDIX A:

Honorable Fourteenth Court of Appeals, dismissal August 29th, 2023, by Panel Consists of Justices Wise, Zimmerer, and Poissant. Opinion delivered Per Curiam.

Honorable Fourteenth Court of Appeals Mandate.



**In The
Fourteenth Court of Appeals**

NO. 14-23-00411-CV

DIANA INGRID REISMAN SEXTON, Appellant

V.

**FORT BEND COUNTY; BAILIFF JOSE FALCON; DEPUTY SHERIFF
GABRIEL CARDENAS, DEPUTY SHERIFF CONNOR GREEN, DEPUTY
SHERIFF ROSS, DEPUTY SHERIFF COX, ET AL, Appellees**

**On Appeal from the 240th District Court
Fort Bend County, Texas
Trial Court Cause No. 22-DCV-296547**

MEMORANDUM OPINION

This is an attempted appeal from an order signed January 3, 2023. No post-judgment motion was filed. Appellant's notice of appeal was filed June 12, 2023. The notice of appeal must be filed within 30 days after the judgment is signed when appellant has not filed a timely post-judgment motion. *See* Tex. R. App. P. 26.1.

Appellant's notice of appeal was not filed timely. A motion to extend time is necessarily implied when an appellant, acting in good faith, files a notice of appeal beyond the time allowed by Texas Rule of Appellate Procedure 26.1, but within the 15-day grace period provided by Rule 26.3 for filing a motion to extend time. *See Verburgt v. Dorner*, 959 S.W.2d 615, 617–18 (1997) (construing the predecessor to Rule 26). Appellant's notice of appeal was not filed within the 15-day period provided by Texas Rule of Appellate Procedure 26.3.

On July 20, 2023, notification was transmitted to all parties that the appeal was subject to dismissal without further notice for want of jurisdiction. *See* Tex. R. App. P. 42.3(a). Appellant's response fails to demonstrate that this court has jurisdiction to entertain the appeal.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Wise, Zimmerer, and Poissant.



MANDATE

The Fourteenth Court of Appeals

NO. 14-23-00411-CV

Diana Ingrid Reisman Sexton, Appealed from the 240th District Court
Appellant of Fort Bend County. (Trial Court No.
22-DCV-296547). Opinion delivered
v. Per Curiam.

Fort Bend County; Bailiff Jose Falcon;
Deputy Sheriff Gabriel Cardenas,
Deputy Sheriff Connor Green, Deputy
Sheriff Ross, Deputy Sheriff Cox, et al,
Appellees

TO THE 240TH DISTRICT COURT OF FORT BEND COUNTY, GREETINGS:

Before our Court of Appeals on August 29, 2023, the cause upon appeal to revise or reverse your judgment was determined. Our Court of Appeals made its order in these words:

Today the court heard its own motion to dismiss the appeal from the order signed by the court below on January 3, 2023. Having considered the motion and found it meritorious, we order the appeal **DISMISSED**.

We further order this decision certified below for observance.

WHEREFORE, WE COMMAND YOU to observe the order of our said Court in this behalf and in all things have it duly recognized, obeyed, and executed.

APPENDIX B:

Judge O'Neil Williams and Surendran Patel 240th District Court in Fort Bend County, partial Dismissal, signed by Judge Surendran Patel on January 4th, 2023. The signature of Judge Oneil Williams was added afterwards.

The County Attorney served Petitioner with another order which was completely changed and signed by Surendran Patel on January 10th and O'Neil Williams on January 12th of 2023.

Finally, the Index of the court has been changed and amended its fillings, showing the original order sent on 01/04/2023 to petitioner amended only for defendant Andrea Field with a signature of Judge O'Neil Williams signed on 01/03/2023 and Judge Surendran Patel on 06/12/2023 within five months difference between each other and when the original order was never signed by Judge O'Neil Williams, which was the point of petitioner argument for the appeal, having an order signed by a judge who never heard the case.

APPENDIX G:

Honorable Texas Supreme Court, Certification of true and correct copy of the orders of the Supreme Court of Texas for Petition for Review, denied on March 1st, 2024, and Motion for Rehearing of Petition for Review, denied on April 19th, 2024, signed by Honorable Supreme Court of Texas Clerck Blake A. Hawthorne, April 19th, 2024.

IN THE SUPREME COURT OF TEXAS

-- -- -- --

NO. 23-0838

DIANA INGRID REISMAN
SEXTON

v.

FORT BEND COUNTY; BAILIFF
JOSE FALCON; DEPUTY SHERIFF
GABRIEL CARDENAS, DEPUTY
SHERIFF CONNOR GREEN,
DEPUTY SHERIFF ROSS, DEPUTY
SHERIFF COX, ET AL.§
§
§
§
§
§

Fort Bend County,

14-23-00411-CV

14th District.

March 1, 2024

Petitioner's petition for review, filed herein in the above numbered and styled case, having been duly considered, is ordered, and hereby is, denied.

April 19, 2024

Petitioner's motion for rehearing of petition for review, filed herein in the above numbered and styled case, having been duly considered, is ordered, and hereby is, denied.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★

I, BLAKE A. HAWTHORNE, Clerk of the Supreme Court of Texas, do hereby certify that the above is a true and correct copy of the orders of the Supreme Court of Texas in the case numbered and styled as above, as the same appear of record in the minutes of said Court under the date shown.

WITNESS my hand and seal of the Supreme Court of Texas, at the City of Austin, this the 19th day of April, 2024.



A handwritten signature in cursive script that reads "Blake A. Hawthorne".

Blake A. Hawthorne, Clerk

By Monica Zamarripa, Deputy Clerk

FILE COPY

RE: Case No. 23-0838

DATE: 3/1/2024

COA #: 14-23-00411-CV

TC#: 22-DCV-296547

STYLE: SEXTON v. FORT BEND COUNTY

Today the Supreme Court of Texas denied the petition for review in the above-referenced case. The Motion to Exceed Word Count is granted.

DIANA INGRID REISMAN SEXTON

* DELIVERED VIA E-MAIL & POSTAL *

FILE COPY

RE: Case No. 23-0838

DATE: 3/1/2024

COA #: 14-23-00411-CV

TC#: 22-DCV-296547

STYLE: SEXTON v. FORT BEND COUNTY

Today the Supreme Court of Texas denied the petition for review in the above-referenced case. The Motion to Exceed Word Count is granted.

MR. SALVATORE P. LOPICCOLO II
FORT BEND COUNTY ATTORNEY
401 JACKSON STREET, 3RD FLOOR
RICHMOND, TX 77469
* DELIVERED VIA E-MAIL *

**Additional material
from this filing is
available in the
Clerk's Office.**