

IN THE COURT OF APPEALS OF TENNESSEE
AT JACKSON

FILED

10/08/2026

Clerk of the
Appellate Courts

IN RE BRISEN K.

Appeal from the Juvenile Court for Shelby County
No. GG4646 W. Ray Glasgow, Magistrate

No. W2026-00550-COA-R3-PT

The notice of appeal in this case was not timely filed. Therefore, this Court lacks jurisdiction to consider this appeal.

Tenn. R. App. P. 3 Appeal as of Right; Appeal Dismissed.

J. STEVEN STAFFORD, P.J., W.S.; CARMA DENNIS MCGEE, J.; VALERIE L. SMITH, J.

Lesteonia K., Memphis, Tennessee, Pro se.

Jonathan Skrmetti, Attorney General and Reporter; and Amber L. Barker, Assistant Attorney General, Tennessee Department of Children's Services.

MEMORANDUM OPINION¹

Appellant initiated this matter on April 15, 2026, by filing a *pro se* Notice of Appeal of a trial court order entered December 17, 2025, which was 119 days prior. It appears from the record that Appellant mailed her Notice of Appeal to the Administrative Office of the Courts in Nashville, Tennessee, on December 17, 2025. The Notice was thereafter forwarded to the Shelby County Juvenile Court and, later, to the Clerk of this Court. *See* Tenn. R. App. 4(a) (“[T]he notice of appeal . . . shall be filed *with the clerk of the appellate*

¹ Rule 10 of the Rules of the Court of Appeals provides:

This Court, with the concurrence of all judges participating in the case, may affirm, reverse or modify the actions of the trial court by memorandum opinion when a formal opinion would have no precedential value. When a case is decided by memorandum opinion it shall be designated “MEMORANDUM OPINION,” shall not be published, and shall not be cited or relied on for any reason in any unrelated case.

court within 30 days after the date of entry of the judgment appealed from.” (emphasis added)). The Notice of Appeal was filed with this Court on April 15, 2026.

Generally, a notice of appeal must be filed within thirty (30) days after the date of entry of the final judgment. *See* Tenn. R. App. P. 4. This requirement may not be waived. *Am. Steinwinter Inv. Grp. v. Am. Steinwinter, Inc.*, 964 S.W.2d 569, 571 (Tenn. Ct. App. 1997). An appellate court cannot extend the time for filing a notice of appeal. Tenn. R. App. P. 2. “In civil cases, the failure to timely file a notice of appeal deprives the appellate court of jurisdiction to hear the appeal.” *Arfken & Assocs., P.A. v. Simpson Bridge Co.*, 85 S.W.3d 789, 791 (Tenn. Ct. App. 2002) (citations omitted). In fact, “[i]f the notice of appeal is not timely filed, the appellate court is required to dismiss the appeal.” *Id.*

As stated, Appellant’s Notice of Appeal was not filed with this Court until April 15, 2026, which is more than thirty (30) days after December 17, 2025, and there is no indication that any of the motions listed in Rule 4(b) were timely filed in order to extend that deadline. On July 20, 2026, this Court entered an order directing Appellant to, within fifteen days, show cause why this appeal should not be dismissed for failure to timely file a notice of appeal. The order warned: “If Appellant fails to properly respond to this Order within the time provided herein, the appeal may be dismissed without further notice.”

On September 10, 2026, this Court entered a second show cause order giving Appellant another opportunity² to show cause why this appeal should not be dismissed within fifteen days. As of the date of the entry of this Order, Appellant has not responded to this Court’s show cause orders.

Based on our review of the foregoing, we determine that this Court does not have subject matter jurisdiction over this matter because Appellants’ Notice of Appeal was not timely filed with this Court. Therefore, this appeal is hereby DISMISSED. Costs of this matter are assessed to Appellant, Lesteonia K., for which execution may issue, if necessary.

PER CURIAM

² This Court became aware that an issue may exist regarding Attorney Joseph Taggart’s continued representation of Appellant. The record indicates that Appellant was appointed counsel by the trial court by order entered on July 23, 2025. The appointment order states: “Appointed counsel [Joseph Taggart] shall represent said respondent from the filing of the petition to conclusion and post trial matters, unless relieved of this appointment by order of Court.” In the trial court’s December 17, 2025 order, the court addressed Mr. Taggart’s representation of Appellant as follows: “That Joseph Taggart, counsel for Respondent Ms. K., shall be awarded a reasonable fee for his services and be relieved following the statutory time to file an appeal if no such appeal is filed.” Therefore, the show cause order directed the Clerk of this Court to serve both Mr. Taggart and Appellant with a copy of the order.