

Chief Justice
SCOTT BRISTER

Justices
SCOTT FIELD
APRIL FARRIS



Clerk
MICHAEL A. CRUZ

Fifteenth Court of Appeals

P.O. Box 12852, AUSTIN, TEXAS 78711
www.txcourts.gov/15thcoa/
512-463-1610

Thursday, June 25, 2026

Kevin N. Bass



* DELIVERED VIA E-MAIL *

Sara Smith
District Clerk, Lubbock County
P O Box 10536
Lubbock, TX 79408-3536
* DELIVERED VIA E-MAIL *

Scott D. Smith
Assistant Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711-2548
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Annette Goodman
Court Reporter, 237th District Court
904 Broadway, Ste 606
Lubbock, TX 79401-3407
* DELIVERED VIA E-MAIL *

RE: Court of Appeals Number: 15-26-00132-CV
Trial Court Case Number: DC-2025-CV-1817

Style: Kevin N. Bass
v. Darrin D'Agostino, D.O., M.P.H., M.B.A., in his official capacity as Provost and Executive Vice President of Academics of Texas Tech University Health Sciences Center; and Amanda McSween, in her official capacity as Managing Director of Enrollment Services and University Registrar of Texas Tech University Health Sciences Center

The Court has been advised that a notice of appeal has been filed by appellant(s). The cause in this Court will bear the number and style shown above. Cases in the Fifteenth Court of Appeals are governed by the Texas Rules of Appellate Procedure (Tex. R. App. P.), which may be accessed on the Court's website at <http://www.txcourts.gov/rules-forms/rules-standards/>.

The Court provides all notices, orders, or other communications regarding a case by email. All documents filed with this Court must include the filer's email address in addition to any other information required by the Texas Rules of Appellate Procedure. It is the filer's responsibility to update the Court with any changes to their email address. At or before the time of a document's filing, the filing party must serve a copy of the document(s) on all parties to the proceeding. *See* Tex. R. App. P. 9.5.

Section 22.201 of the Texas Government Code was amended, effective September 1, 2023, to create the Fifteenth Court of Appeals. Beginning September 1, 2024, the Fifteenth Court of Appeals will have exclusive intermediate appellate jurisdiction over certain appeals as defined in Section 22.220(d) of the Texas Government Code. The Court requests that the parties confer and advise the Court by motion if they believe the appeal is not subject to this Court's jurisdiction.

Appellant(s) must forward the following item(s) to this Court on or before **Monday, July 6, 2026**:

1. **\$205.00 Filing Fee** – Unless exempt by law, presumed unable to pay court costs, or having previously paid the required fee, appellant(s) must remit the \$205.00 filing fee to prosecute the appeal. *See* Tex. R. Civ. P. 145 and Tex. R. App. P. 20.1. Failure to remit the filing fee may result in dismissal of the appeal pursuant to Tex. R. App. P. 5 and 42.3. If excused from paying costs under statute or the appellate rules, the Court must be promptly notified.
 - **Payment instructions:** Payment shall be submitted electronically through the eFileTexas.gov electronic filing system. Unrepresented persons may pay in person at the Clerk's office or by mailing a money order or check payable to "The State of Texas."
2. **Docketing Statement** - Until the clerk's record is filed, the docketing statement provides essential information about the appeal, including contact information for the parties and details regarding the order being appealed. *See* Tex. R. App. P. 32. A copy of the docketing statement is available at <http://www.txcourts.gov/15thcoa/practice-before-the-court/forms/>.
3. **Challenge to Constitutionality of a State Statute** - Pursuant to Section 402.010 (a-1) of the Texas Government Code, any party challenging the constitutionality of a Texas statute must file a "Challenge to the Constitutionality of a State Statute" form with the court in which the challenge is pending. This form is available at <http://www.txcourts.gov/15thcoa/practice-before-the-court/forms/>. **Only parties challenging the constitutionality of a state statute are required to file this form.**

Appellant(s) must file a brief no later than 30 days (or 20 days in an accelerated appeal) after the filing of the clerk's record or reporter's record, whichever occurs later. *See* Tex. R. App. P. 38.6(a). More information about the Court's practices is available at <http://www.txcourts.gov/15thcoa/practice-before-the-court/>.

Note: Tex. R. App. P. 9.6 requires that parties and counsel communicate with the appellate court about a case only through the Clerk of the Court.

INFORMATION ABOUT THE APPELLATE RECORD

Unless exempt by law or presumed unable to pay court costs, the trial court clerk and court reporter are not required to file the clerk's and reporter's records until fees for the preparation of the record have been paid or satisfactory arrangements for payment have been made by appellant(s). *See* Tex. R. App. P. 35.3(a)(2), (b)(3). If not already done, written requests and arrangements for payment of the following record(s) must be made **as soon as possible**:

1. **Clerk's Record** - The Court may dismiss an appeal for want of prosecution if the clerk's record is not filed due to the fault of appellant(s). *See* Tex. R. App. P. 37.3(b) and 42.3. Appellant(s) must make arrangements with the trial court clerk for the clerk's record and may file a written designation specifying additional items to be included. *See* Tex. R. App. 34.5(b)(2).
2. **Reporter's Record** - Appellant(s) may elect to include a reporter's record as part of the appellate record by submitting a written request to the court reporter. *See* Tex. R. App. P. 34.6(b)(1). The request must designate the portions of the proceedings to be included in the record, including any exhibits. A copy of the request must also be filed with the trial court clerk. *See* Tex. R. App. P. 34.6(b)(2). If a reporter's record is not filed, the Court may decide the appeal on those issues or points that do not require a reporter's record. *See* Tex. R. App. P. 37.3(c).

Based on the information currently before the Court, the appellate record is due to be filed by **July 24, 2026**. *See* Tex. R. App. P. 35.1. The parties do not need to file a motion to extend time to file either the clerk's record or the reporter's record. *See* Tex. R. App. P. 34.5(b)(1) and 35.3(c).

The Court requests that the trial court clerk and court reporter submit a status report to this Court through the Texas Record Submission Portal. The forms are available at <http://www.txcourts.gov/15thcoa/practice-before-the-court/forms/>. If an extension of time is needed, please indicate this on the form. The completed form should be submitted within seven days of the date of this notice.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Cruz". The signature is fluid and cursive, with the first name "Michael" and last name "Cruz" clearly legible.

Michael A. Cruz, Clerk

cc: The Honorable Leslie (Les) F. Hatch (DELIVERED VIA E-MAIL)
The Honorable Ana Estevez (DELIVERED VIA E-MAIL)