



BEFORE THE BOARD OF DISCIPLINARY APPEALS
Appointed By
THE SUPREME COURT OF TEXAS

KYLE B. COLLINS
State Bar of Texas Card No. 0461340

v.

**COMMISSION FOR
LAWYER DISCIPLINE OF THE
STATE BAR OF TEXAS**

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CASE # 68773

ORDER TO SHOW CAUSE

On this day, the Board of Disciplinary Appeals considered sua sponte whether it has jurisdiction to hear the above appeal filed by Kyle B. Collins, Appellant. After reviewing the papers filed in the matter, the Board finds that Evidentiary Panel 8-4, of the District 8 Grievance Committee, issued a Judgment of Partially Probated Suspension on October 2, 2023. Appellant hand delivered his Notice of Appeal to the Office of the Chief Disciplinary Counsel on January 4, 2024. The Board received the Notice of Appeal from the Office of the Chief Disciplinary Counsel and filed it on January 4, 2024. *See* BODA INTERNAL PROCEDURAL RULE 4.01(c). Appellant did not timely request an extension of time to file his notice of appeal.

Texas Rule of Disciplinary Procedure 2.23 provides that a respondent may appeal an evidentiary panel’s judgment to the Board of Disciplinary Appeals, and “[t]he notice of appeal must be filed [with the Board] within thirty days after the date of judgment.” TEX. RULES DISCIPLINARY P. R. 2.23; *see also* BODA INTERNAL PROCEDURAL RULE 4.01(d). If any party timely files a motion for new trial or motion to modify the judgment, the notice of appeal must be filed within ninety days

after the date of judgment. TEX. RULES DISCIPLINARY P. R. 2.23; *see also* BODA INTERNAL PROCEDURAL RULE 4.01(d). An appellant may file a motion for extension of time to file a notice of appeal, but such motion “must be filed no later than 15 days after the last day allowed for filing the notice of appeal.” BODA INTERNAL PROCEDURAL RULE 4.01(e).

Appellant’s Notice of Appeal was filed more than ninety days after the date of the judgment, and Appellant did not timely file a motion for extension of time to file a notice of appeal. **IT IS THEREFORE ORDERED** that Appellant Kyle B. Collins, within 30 days from the date of this order, **RESPOND AND SHOW CAUSE** why the appeal should not be dismissed for want of jurisdiction. *See* BODA INTERNAL PROCEDURAL RULE 4.09(a).

SIGNED this 10th day of January 2024.

A handwritten signature in blue ink, appearing to read 'Kevin H.', is written above a horizontal line.

CHAIR PRESIDING