Commonwealth of Kentucky

Court of Appeals

NO. 2026-CA-0066-MR

EDE WARNER, JR. APPELLANT

v. APPEAL FROM JEFFERSON FAMILY COURT
HONORABLE LAREN ADAMS OGDEN, JUDGE
ACTION NO. 13-CI-502240

MOTRIYO ISLES-WARNER APPELLEE

ORDER

** ** ** ** **

BEFORE: ACREE, CALDWELL, AND L. JONES, JUDGES.

This action is before the Court because Appellant failed to file a brief timely pursuant to RAP[1] 30(E)(1).

Appellant's brief was originally due to be filed by July 20, 2026. Appellant attempted to file a brief on July 16, 2026; however, the brief was returned to him as deficient. The deficiency notice gave Appellant ten (10) days to make any necessary corrections. Appellant did not file a corrected brief. Then on September 2, 2026, the Court *sua sponte* issued an order which directed Appellant

[1] Kentucky Rules of Appellate Procedure.

to file a brief within fourteen (14) days of entry of the order. Appellant was informed that "[a]bsent extraordinary circumstances, failure to comply with this order within the time given SHALL result in dismissal of this appeal." Again, no brief was filed.

Pursuant to RAP 31(H)(2), "[i]f the appellant's brief has not been filed within the time allowed, the appeal may be dismissed." *See also Milby v. Mears*, 580 S.W.2d 724, 727 (Ky. App. 1979) ("It is an established principle of law in Kentucky that an appeal may be dismissed when the appellant fails to file a brief in support of his position.").

Having reviewed the record and being otherwise sufficiently advised; IT IS HEREBY ORDERED that the above-styled appeal shall be, and hereby is, DISMISSED because Appellant has failed to follow the Court's directive and has failed to file a brief.

ENTERED: November 16, 2026

HON. LISA P. JONES
JUDGE, COURT OF APPEALS