

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE

CATHY L. McGOWIN v. JOHN D. McGOWIN

Circuit Court for Jefferson County
No. 2181611 Hon. Ben W. Hooper, II., Judge

No. E2012-01091-COA-R3-CV-FILED-SEPTEMBER 18, 2012

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

HERSCHEL PICKENS FRANKS, P.J., D. MICHAEL SWINEY, J., and JOHN W. MCCLARTY, J.

Jerold Lance Becker, Knoxville, Tennessee, for the appellant, John D. McGowin.

Rebecca Denise Slone, Dandridge, Tennessee, for the appellee, Cathy L. McGowin.

MEMORANDUM OPINION¹

In this appeal, a show cause order was entered in this case on August 28, 2012, directing counsel for the appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Appellant has responded to the show cause order in a response that does

¹The Court of Appeals' Rules provide:

Rule 10. Memorandum Opinion

(b) 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 When a case is decided by memorandum opinion it shall be designated "MEMORANDUM OPINION," shall not be published, and shall not be cited or relied on for any reason in any unrelated case.

not provide an explanation that cures the defect of the late-filed Notice of Appeal.

An untimely notice of appeal deprives this Court of jurisdiction. *See*, Tenn. R. App. P. 2: Tenn. R. App. P. 4(a); *also see*, *Cobb v. Beier*, 944 S.W.2d 343, 344 n.2 (Tenn. 1997).

It is therefore Ordered and Adjudged that this appeal be and hereby is dismissed. The costs of the appeal are assessed to John D. McGowin.

PER CURIAM