

Affirmed and Opinion filed July 12, 2001.



In The

**Fourteenth Court of Appeals**

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NO. 14-00-00500-CV

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**WHITNEY NEUHAUS BROACH, Appellant**

**V.**

**KATHERINE ROBERTS, Appellee**

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**On Appeal from the 234th District Court  
Harris County, Texas  
Trial Court Cause No. 98-44075**

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**MEMORANDUM OPINION**

Whitney Neuhaus Broach appeals from a judgment dismissing her claims. Appellant raises one point of error challenging the dismissal.<sup>1</sup> We affirm.

Appellant filed suit in September 1998, alleging libel, slander, and interference with contractual relations. Appellant also sought a temporary injunction. Although the record does not contain a temporary injunction, the trial court's docket sheet indicates that a temporary injunction was issued in October 1998. On March 23, 2000, the trial court

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<sup>1</sup> Appellee, Katherine Roberts, has not filed a brief.

issued its order of dismissal pursuant to its inherent power to dismiss. Appellant filed a motion to reinstate. Following a hearing, the trial court denied the motion.

Appellant raises one point of error, claiming the trial court should have abated rather than dismissed the case. Although her point of error is not clearly worded, appellant appears to argue that the dismissal also dissolved the temporary injunction, leaving appellant without injunctive relief. Appellant presents no authority supporting a claim of error in the dismissal. A point of error is waived if it contains argument without citation to authority. *TXO Prod. Co. v. M.D. Mark, Inc.*, 999 S.W.2d 137, 143 (Tex. App.–Houston [14th Dist.] 1999, pet. denied). Rule 38.1(h) requires the brief to contain a clear and concise argument with appropriate citations to authority. TEX. R. APP. P. 38.1(h). Appellant was given the opportunity to rebrief and appellant filed an amended brief with a citation to section 7 of the Rules of Civil Procedure, but no citation to any particular rule. This is not citation to authority supporting the argument. Accordingly, we find that appellant’s sole point of error is waived.

We affirm the trial court’s judgment.

/s/ Leslie Brock Yates  
Justice

Judgment rendered and Opinion filed July 12, 2001.

Panel consists of Justices Yates, Fowler, and Wittig.

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