

DISMISS; and Opinion Filed May 29, 2019.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-19-00367-CV

**ROXANNA MAYO, INDIVIDUALLY AND AS REPRESENTATIVE OF M.M., A
MINOR, Appellant**

V.

**CITY OF DALLAS, 9-1-1 OPERATOR COLLEEN SCHWAB, DPD OFFICER, JOHN
DOE 1-10, SBC GLOBAL SERVICES, INC. D/B/A AT & T GLOBAL SERVICES, AND
AT&T INC., Appellees**

**On Appeal from the 68th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-17-00742**

MEMORANDUM OPINION

Before Justices Myers, Molberg, and Carlyle
Opinion by Justice Molberg

This is an appeal from the trial court's final judgment. Appellees SBC Global Services, Inc. d/b/a AT&T Global Services and AT&T Inc. (collectively, "AT&T") have filed a motion to dismiss for want of jurisdiction, asserting the appeal was untimely. Appellant has not responded, and we have been unable to determine the motion because the clerk's record has not been filed.

On April 16, 2019, Dallas County District Clerk Felicia Pitre informed the Court the clerk's record had not been filed because appellant had not paid for it. That same day, we directed appellant to file, within ten days, written verification she had paid or made arrangements to pay for the clerk's record or was entitled to proceed without payment of costs. Although we cautioned her that failure to comply could result in dismissal of the appeal, she has not complied. *See* TEX.

R. APP. P. 37.3(b). Accordingly, we dismiss the appeal and deny AT&T's motion as moot. *See id.* 37.3(b), 42.3(b),(c).

/Ken Molberg/
KEN MOLBERG
JUSTICE

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

ROXANNA MAYO, INDIVIDUALLY
AND AS REPRESENTATIVE OF M.M.,
A MINOR, Appellant

No. 05-19-00367-CV V.

On Appeal from the 68th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DC-17-00742.
Opinion delivered by Justice Molberg,
Justices Myers and Carlyle participating.

CITY OF DALLAS, 9-1-1 OPERATOR
COLLEEN SCHWAB, DPD OFFICER,
JOHN DOE 1-10, SBC GLOBAL
SERVICES, INC. D/B/A AT & T
GLOBAL SERVICES, AND AT&T INC.,
Appellees

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

We **ORDER** appellees City of Dallas, 9-1-1 Operator Colleen Schwab, DPD Officer, John Doe 1-10, SBC Global Services, Inc. d/b/a AT & T Global Services, and AT&T Inc. recover their costs, if any, of this appeal from appellant Roxanna Mayo, Individually and As Representative of M.M., A Minor.

Judgment entered this 29th day of May 2019.