

**Dismissed; Opinion Filed September 8, 2020**



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

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**No. 05-20-00402-CV**

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**CONCEPT FACILITY SERVICES, LLC D/B/A 1-800 PLUMBER, Appellant  
V.  
DAVILAS EXCAVATIONS, INC., Appellee**

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**On Appeal from the 116th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-19-05246**

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**MEMORANDUM OPINION**

Before Justices Schenck, Osborne, and Partida-Kipness  
Opinion by Justice Schenck

The filing fee, docketing statement, and clerk's record in this case are past due. By postcard dated March 27, 2020, we notified appellant the \$205 filing fee was due. We directed appellant to remit the filing fee within ten days and expressly cautioned appellant that failure to do so would result in dismissal of the appeal. Also by postcard dated March 27, 2020, we informed appellant the docketing statement in this case was due. We cautioned appellant that failure to file the docketing statement within ten days might result in the dismissal of this appeal without further notice. By letter dated June 4, 2020, we informed appellant the clerk's record had

not been filed because appellant had not paid for the clerk's record. We directed appellant to provide, within ten days, (1) verification of payment or arrangements to pay for the clerk's record, or (2) written documentation that appellant had been found entitled to proceed without payment of costs. We cautioned appellant that failure to do so would result in the dismissal of this appeal without further notice. To date, appellant has not paid the filing fee, provided the required documentation, or otherwise corresponded with the Court regarding the status of this appeal.

Accordingly, we dismiss this appeal. See TEX. R. APP. P. 37.3(b); 42.3(b), (c).

/David J. Schenck/  
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DAVID J. SCHENCK  
JUSTICE

200402F.P05



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

**JUDGMENT**

CONCEPT FACILITY SERVICES,  
LLC D/B/A 1-800 PLUMBER,  
Appellant

No. 05-20-00402-CV        V.

DAVILAS EXCAVATIONS, INC.,  
Appellee

On Appeal from the 116th Judicial  
District Court, Dallas County, Texas  
Trial Court Cause No. DC-19-05246.  
Opinion delivered by Justice  
Schenck. Justices Osborne and  
Partida-Kipness participating.

In accordance with this Court's opinion of this date, this appeal is  
**DISMISSED.**

It is **ORDERED** that appellee DAVILAS EXCAVATIONS, INC. recover  
its costs of this appeal from appellant CONCEPT FACILITY SERVICES, LLC  
D/B/A 1-800 PLUMBER.

Judgment entered this 8th day of September, 2020.