

DISMISS and Opinion Filed July 25, 2023



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

No. 05-22-00768-CV

**IN THE GUARDIANSHIP OF RICHARD W. THOMPSON, JR.,
AN ALLEGED INCAPACITATED PERSON**

**On Appeal from the Collin County Probate Court
Collin County, Texas
Trial Court Cause No. GA1-0261-2018**

MEMORANDUM OPINION

Before Chief Justice Burns, Justice Molberg, and Justice Pedersen, III
Opinion by Chief Justice Burns

The clerk's record has not been filed due to non-payment of the clerk's fee. The Court has given appellant numerous opportunities to pay the clerk's fee and ordered the trial court to conduct a hearing regarding the clerk's record which appellant failed to attend although ordered to do so. The Court has previously cautioned appellant that failure to pay for the clerk's record may result in dismissal of the appeal for want of prosecution. *See* TEX. R. APP. P. 37.3(b). Appellant has failed to comply and the time to do so has passed. Accordingly, we dismiss the appeal for want of prosecution. *See id.*

/Robert D. Burns, III/
ROBERT D. BURNS, III
CHIEF JUSTICE

220768F.P05



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

JUDGMENT

IN THE GUARDIANSHIP OF
RICHARD W. THOMPSON, JR., AN
ALLEGED INCAPACITATED
PERSON

No. 05-22-00768-CV

On Appeal from the Collin County
Probate Court, Collin County, Texas
Trial Court Cause No. GA1-0261-
2018.

Opinion delivered by Chief Justice
Burns. Justices Molberg and Pedersen,
III participating.

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

It is **ORDERED** that appellees Timothy Thompson, Allon Thompson,
Hilary Thompson Hutson, and Kelcie A. Hibbs as Temporary Administratrix of the
Estate
recover their costs of this appeal from appellant Brigetta D'Olivio.

Judgment entered July 25, 2023