

Opinion issued August 9, 2012



In The  
Court of Appeals  
For The  
First District of Texas

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NO. 01-10-00848-CV

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ZACHARIAH DORSETT, Appellant

V.

ARCHSTONE MEMORIAL HEIGHTS, Appellee

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On Appeal from the County Civil Court at Law No. 1  
Harris County, Texas  
Trial Court Cause No. 961349

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**MEMORANDUM OPINION**

Appellant, Zachariah Dorsett, has neither paid the required filing fee for this appeal nor established indigence for purposes of appellate costs. *See* TEX. R. APP.

P. 5 (“A party who is not excused by statute or these rules from paying costs must pay—at the time an item is presented for filing—whatever fees are required by statute or Supreme Court order.”), 20.1 (listing requirements for establishing indigence); *see also* TEX. GOV’T CODE ANN. § 51.207 (Vernon Supp. 2011), § 51.941(a) (Vernon 2005), § 101.041 (Vernon Supp. 2011) (listing fees in court of appeals); Order Regarding Fees Charged in Civil Cases in the Supreme Court and the Courts of Appeals and Before the Judicial Panel on Multidistrict Litigation, Misc. Docket No. 07-9138 (Tex. Aug. 28, 2007), *reprinted in* TEX. R. APP. P. app. A § B(1) (listing fees in court of appeals). On June 28, 2012, this Court ordered appellant to pay the filing fee by July 9, 2012, or the appeal would be dismissed. *See* TEX. R. APP. P. 5 (allowing enforcement of rule); 42.3(c) (allowing involuntary dismissal of case). After being ordered to pay the filing fee or face dismissal, appellant did not adequately respond. *See* TEX. R. APP. P. 5; 42.3(c).

Appellant has also neither established indigence, nor paid, or made arrangements to pay, the fee for preparing the clerk’s record. *See* TEX. R. APP. P. 20.1 (listing requirements for establishing indigence), 37.3(b) (allowing dismissal of appeal for want of prosecution if no clerk’s record filed due to appellant’s fault). On June 28, 2012, this Court ordered appellant to file proof that he had paid for or made arrangements to pay for the clerk’s record, or face dismissal. Appellant did

not adequately respond. *See* TEX. R. APP. P. 42.3(b) (allowing involuntary dismissal for want of prosecution).

We dismiss the appeal for failure to pay the filing fee and for want of prosecution. We dismiss all pending motions as moot.

**PER CURIAM**

Panel consists of Justices Higley, Sharp, and Huddle.