

Opinion issued August 23, 2012.



In The
Court of Appeals
For The
First District of Texas

NO. 01-12-00353-CV

ANNESTRICE FRAZIER, Appellant

V.

AMERICAN GENERAL LIFE INSURANCE COMPANY, Appellee

**On Appeal from the 125th District Court
Harris County, Texas
Trial Court Cause No. 2011-33427**

MEMORANDUM OPINION

Appellant, Annestrice Frazier, 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). Appellant was notified on April 19, 2012 that this appeal would be subject to dismissal if the filing fee was not paid by April 29, 2012. After being notified that this appeal was subject to dismissal, appellant did not adequately respond. *See* TEX. R. APP. P. 5 (allowing enforcement of rule); 42.3(c) (allowing involuntary dismissal of case). Appellant was again notified on June 5, 2012 that this appeal was subject to dismissal for failure to pay the fee. Appellant did not respond. *See* TEX. R. APP. P. 5 (allowing enforcement of rule); 42.3(c) (allowing involuntary dismissal of case).

We dismiss the appeal. We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Bland, Massengale, and Brown.