

Opinion issued September 27, 2012



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-12-00684-CV

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**MICHAEL SOLOMON, Appellant**  
V.  
**ANGELA GALE LEMONS, Appellee**

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**On Appeal from the 308th District Court  
Harris County, Texas  
Trial Court Cause No. 2003-48335**

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**MEMORANDUM OPINION**

Appellant, Michael Solomon, 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 August 1, 2012 that he must pay the fee by August 13, 2012, or the appeal would be subject to dismissal. 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 August 21, 2012 that the appeal would be dismissed if he did not pay the fee by August 31, 2012. After being notified that this appeal was subject to dismissal, appellant did not adequately respond. *See* TEX. R. APP. P. 5; 42.3(c).

We dismiss the appeal for failure to pay the filing fee. We dismiss any pending motions as moot.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Bland and Huddle.