

Dismissed and Memorandum Opinion filed September 9, 2010.



In The

Fourteenth Court of Appeals

NO. 14-10-00545-CV

G. P. MATHERNE, Appellant

V.

INDYMAC BANK, F.S.B., WOODWAY CAMPTION LTD., Appellee

On Appeal from the 125th District Court
Harris County, Texas
Trial Court Cause No. 2007-53457

MEMORANDUM OPINION

This is an appeal from a judgment signed March 1, 2010. Appellant filed a timely motion for new trial. The notice of appeal was filed on June 3, 2010. To date, our records show that appellant has neither established indigence nor paid the \$175.00 appellate filing fee. *See* Tex. R. App. P. 5 (requiring payment of fees in civil cases unless indigent); Tex. R. App. P. 20.1 (listing requirements for establishing indigence); *see also* 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) (listing fees in court of appeals); Tex. Gov't Code Ann. § 51.207 (Vernon 2005) (same).

On July 29, 2010, this court ordered appellant to pay the appellate filing fee on or before August 13, 2010, or the appeal would be dismissed. Appellant has not paid the appellate filing fee. Accordingly, the appeal is ordered dismissed. *See* Tex. R. App. P. 42.3(c) (allowing involuntary dismissal of case because appellant has failed to comply with notice from clerk requiring response or other action within specified time).

PER CURIAM

Panel consists of Justices Anderson, Frost, and Brown.