

Court of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-12-00580-CV

Sandra Leticia **GARCIA**,
Appellant

v.

Carlos Felix **GARCIA**,
Appellee

From the County Court At Law No. 1, Webb County, Texas
Trial Court No. 2011CVG002254-C1
Honorable Alvino (Ben) Morales, Judge Presiding

PER CURIAM

Sitting: Rebecca Simmons, Justice
Steven C. Hilbig, Justice
Marialyn Barnard, Justice

Delivered and Filed: November 7, 2012

DISMISSED FOR WANT OF PROSECUTION

Appellant was required to pay \$175.00 and \$10.00 fees when she filed her notice of appeal. *See* TEX. R. APP. P. 5.¹ Appellant did not pay the required fees. Accordingly, the clerk of this court notified appellant by letter dated September 11, 2012, that the notice of appeal was conditionally filed and the filing fees were due no later than September 21, 2012.

¹ *See also* TEX. GOV'T CODE ANN. §§ 51.207(b)(1), 51.941(a) (West 2005); *id.* §§ 51.208, 51.0051 (West Supp. 2010); Texas Supreme Court 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.(a).

On October 4, 2012, when the fees remained unpaid, this court ordered appellant to provide written proof to this court not later than October 19, 2012, that either (1) the \$175.00 and \$10.00 filing fees have been paid, or (2) the appellant is entitled to appeal without paying the filing fees. *See id.* We warned appellant that if she failed to respond as ordered, the appeal would be dismissed. *See id.* R. 5, 42.3; *In re W.J.C.*, No. 04-05-00532-CV, 2005 WL 3477883, at *1 (Tex. App.—San Antonio Dec. 21, 2005, no pet.) (mem. op.).

To date, appellant has not filed any response with this court. Therefore, we dismiss this appeal for want of prosecution. *See id.* R. 37.3(b), 42.3(c). Costs of this appeal are taxed against appellant. *See id.* R. 43.4.

PER CURIAM