



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-15-00246-CV

Marco Antonio **HERNANDEZ**,  
Appellant

v.

Lisa **HERNANDEZ**,  
Appellee

From the County Court at Law, Starr County, Texas  
Trial Court No. CC-10-03  
Honorable Romero Molina, Judge Presiding

PER CURIAM

Sitting: Marialyn Barnard, Justice  
Rebeca C. Martinez, Justice  
Patricia O. Alvarez, Justice

Delivered and Filed: June 3, 2015

DISMISSED FOR WANT OF PROSECUTION

When appellant filed this appeal, he was required to pay a \$195.00 filing fee. *See* TEX. GOV'T CODE ANN. §§ 51.207(b)(1), 51.941(a); *see also id.* §§ 51.208, 51.0051; TEXAS SUPREME COURT ORDER REGARDING FEES CHARGED IN CIVIL CASES IN THE SUPREME COURT, THE COURTS OF APPEALS, AND BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION (Misc. Docket No. 13-9127, Aug. 16, 2013). Appellant did not pay the required filing fee when he filed the notice of appeal. The clerk of this court notified appellant of this deficiency by letter dated April 23, 2015, and advised appellant the filing fee was due no later than May 8, 2015. On May 12, 2015, when

the fee remained unpaid, we ordered appellant, not later than May 22, 2015, to either (1) pay the applicable filing fee, or (2) provide written proof to this court that he is indigent or otherwise excused by statute or the Texas Rules of Appellate Procedure from paying the fee. *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. The appellate court may enforce this rule by any order that is just.”). The court advised appellant that if he failed to respond satisfactorily within the time ordered, the appeal would be dismissed. *See* TEX. R. APP. P. 42.3.

The filing fee has not been paid, and appellant has not otherwise responded to our May 12, 2015 order. We therefore order this appeal dismissed for want of prosecution. We further order that appellee recover her costs of this appeal, if any, from appellant.

PER CURIAM