



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-13-00283-CV

RONALD BENTON

APPELLANT

V.

VISTANA APARTMENTS

APPELLEE

FROM COUNTY COURT AT LAW NO. 1 OF TARRANT COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

On August 14, 2013, and September 11, 2013, we notified appellant in accordance with rule of appellate procedure 42.3(c), that we would dismiss this appeal unless the \$175 filing fee was paid. See Tex. R. App. P. 42.3(c). Appellant has not paid the \$175 filing fee. See Tex. R. App. P. 5, 12.1(b).

¹See Tex. R. App. P. 47.4.

Because appellant failed to comply with a requirement of the rules of appellate procedure and the Texas Supreme Court's order of August 28, 2007,² we dismiss the appeal. See Tex. R. App. P. 42.3(c), 43.2(f).

Appellant shall pay all costs of this appeal, for which let execution issue. See Tex. R. App. P. 43.4.

PER CURIAM

PANEL: GABRIEL, J.; LIVINGSTON, C.J.; and DAUPHINOT, J.

DELIVERED: October 3, 2013

²See Supreme Court of Tex., *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 (Aug. 28, 2007) (listing fees in courts of appeals).