

NO. 07-05-0148-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
APRIL 28, 2005

TERRY WAYNE COCHRAN, APPELLANT

V.

SHEQURITO BALDWIN, ET AL., APPELLEES

FROM THE 278TH DISTRICT COURT OF WALKER COUNTY;
NO. 22861; HONORABLE KENNETH KEELING, JUDGE

Before QUINN and REAVIS and CAMPBELL, JJ.

MEMORANDUM OPINION

On February 28, 2005, a pro se notice of appeal was filed with the 278th Judicial District of Walker County by Terry Wayne Cochran. The Fourteenth Court of Appeals received a copy of the notice of appeal and on March 14, 2005, the clerk of that court advised appellant by letter that the filing fee of \$125 was due. The case was transferred to this court on April 8, 2005.¹

¹The case was transferred pursuant to a docket equalization order of the Texas Supreme Court.

By letter dated April 15, 2005, the clerk of this court notified appellant that the filing fee had not been received, see Tex. R. App. P. 5. The clerk's letter likewise advised that failure to pay the filing fee may result in dismissal of the appeal. See Tex. R. App. P. 42.3(c).

The filing fee has not been paid.² Accordingly, this appeal is dismissed. Tex. R. App. P. 42.3(c).

James T. Campbell
Justice

²This court received correspondence from appellant stating that an affidavit of indigence was purportedly filed with the Fourteenth Court of Appeals on March 22, 2005. The Fourteenth Court of Appeals has no record of its receipt. Even if filed on March 22, 2005, the affidavit would not have been filed within the fifteen day extension allowed by Texas Rule of Appellate Procedure 20.1. Tex. R. App. P. 20.1(c)(3). See *Holt v. F.F. Enterprises*, 990 S.W.2d 756 (Tex.App.—Amarillo 1998, pet. denied).