

NO. 07-05-0158-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
MAY 23, 2005

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GLEND A BILLS, APPELLANT  
V.  
GILVIN-TERRILL, LTD., APPELLEE

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FROM THE 47<sup>TH</sup> DISTRICT COURT OF ARMSTRONG COUNTY;  
NO. 2,166; HONORABLE HAL MINER, JUDGE

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Before QUINN, C.J., and REAVIS and CAMPBELL, JJ.

**MEMORANDUM OPINION**

By letter dated April 19, 2005, appellant Glenda Bills was notified that the required filing fee had not been paid, noting that failure to do so within ten days might result in dismissal. Unless a party is excused from paying a filing fee, the Clerk of this Court is required to collect filing fees set by statute or the Supreme Court when an item is presented

for filing. See Tex. R. App. P. 5 and 12.1(b). Although the filing of a notice of appeal invokes this Court's jurisdiction, if a party fails to follow the prescribed rules of appellate procedure, the appeal may be dismissed. Tex. R. App. P. 25.1(b). Thus, because the filing fee remains unpaid, we must dismiss the appeal.

Accordingly, the appeal is dismissed for failure to comply with the Texas Rules of Appellate Procedure and with a notice from the Clerk requiring payment of the filing fee. Tex. R. App. P. 42.3(c).

Don H. Reavis  
Justice