

NO. 07-09-0082-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
MARCH 30, 2009

APPARAJAN GANESAN, APPELLANT

V.

MALCOLM L. CARTER, ET AL., APPELLEE

FROM THE 47TH DISTRICT COURT OF POTTER COUNTY;

NO. 093372-00-A; HONORABLE HAL MINER, JUDGE

Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

MEMORANDUM OPINION

On February 24, 2009, the clerk of this court received a copy of a “Request to the [trial] court to rescind its order and reinstate the case and stay all proceedings or in the alternate a Notice of Appeal” filed on behalf of appellant Apparajan Ganesan. By letter from this Court dated March 3, 2009, we advised Ganesan that the “filing fee in the amount of \$175.00 ha[d] not been paid. Failure to pay the filing fee within ten (10) days from the date of this notice may result in a dismissal. Tex. R. App. P. 42.3(c).” TEX. R. APP. P. 5.

Ganesan has not paid the fee as directed nor has he filed an affidavit of indigence. See TEX. R. APP. P. 20.1. Additionally, this court received a file marked copy of an order from the trial court granting “Defendant’s Motion to Set Aside Order,” presumably granting Ganesan’s requested relief. Accordingly, this appeal is dismissed. TEX. R. APP. P. 42.3.

Mackey K. Hancock
Justice