

NO. 07-09-0346-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
NOVEMBER 6, 2009

ALVIN RAY COOPER,

Appellant

V.

AMY HERNANDEZ,

Appellee

FROM THE COUNTY COURT OF FLOYD COUNTY;
NO. 1698; HON. PENNY GOLIGHTLY, PRESIDING

Memorandum Opinion

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

Appellant, Alvin Ray Cooper, filed a notice of appeal on October 23, 2009. However, appellant did not pay the \$175 filing fee required from appellants under Texas Rule of Appellate Procedure 5. Nor did he file an affidavit of indigence per Texas Rule of Appellate Procedure 20.1. By letter from this Court dated October 23, 2009, we informed appellant that “the filing fee in the amount of \$175.00 has 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); see *Holt v. F. F. Enterprises*, 990 S.W.2d 756 (Tex. App.–Amarillo 1998, pet. ref'd). The deadline lapsed, and the fee was not received.

Because appellant has failed to pay the requisite filing fee as directed by the court, we dismiss the appeal pursuant to Texas Rule of Appellate Procedure 42.3(c).

Per Curiam