



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-17-00294-CV

IN THE INTEREST OF S.S. AND C.S., CHILDREN

On Appeal from the 378th District Court
Ellis County, Texas
Trial Court No. 92744D, Honorable Joe F. Grubbs, Presiding

September 15, 2017

MEMORANDUM OPINION

Before **CAMPBELL** and **PIRTLE** and **PARKER, JJ.**

Appellant Cleveland Napoleon Striblen, proceeding *pro se*, appeals a purported child custody ruling made by the trial court. We dismiss the appeal for Striblen's failure to comply with a requirement of the appellate rules and for want of jurisdiction.

On July 21, 2017, Striblen filed a notice of appeal from "the decision made in 378th district court on July 18 of custody of [S.S. and C.S.]," but did not pay the required filing fee. By letters on July 25 and 27, the Tenth Court of Appeals notified Striblen that the filing fee was overdue and that there appeared no final, appealable order issued by the trial court. In its letters, the Tenth Court advised Striblen that his appeal was subject

to dismissal if he did not pay the filing fee and file a response showing grounds for continuing the appeal. The appeal was subsequently transferred to this Court under an order of the Supreme Court of Texas. See TEX. GOV'T CODE ANN. § 73.001 (West 2013).

By letter of August 16, 2017, we also notified Striblen that the filing fee had not been paid and that his appeal was subject to dismissal unless he paid the fee, or complied with Appellate Rule 20.1, by August 28. See TEX. R. APP. P. 20.1, 42.3(c). We further notified Striblen that no final judgment or appealable order had been issued by the trial court, having confirmed this with the district clerk, and directed him to demonstrate grounds for continuing the appeal by August 28. Failing his compliance, we said, the appeal would be dismissed for want of jurisdiction. See *id.* at 42.3(a).

To date, Striblen has neither paid the filing fee nor requested to proceed without payment of costs. The rules that govern this Court's handling of appeals in civil cases require that a party who is not excused by law from paying costs must pay the required fees. See TEX. R. APP. P. 5, 12.1(b), 20.1. Therefore, we will dismiss the appeal because Striblen failed to comply with a requirement of the appellate rules. See TEX. R. APP. P. 42.3 (c).

Additionally, our appellate jurisdiction is limited to review of final judgments and those interlocutory orders made immediately appealable by statute. See *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001); TEX. CIV. PRAC. & REM. CODE ANN. §§ 51.012 (West 2015), 51.014 (West Supp. 2016). Striblen has not presented a final judgment or appealable order for this Court to review and has not filed any response

regarding our jurisdiction. Therefore, we also will dismiss the appeal for want of jurisdiction. See TEX. R. APP. P. 42.3(a).

Accordingly, the appeal is dismissed. TEX. R. APP. P. 42.3(a), (c).

Per Curiam