



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

No. 07-21-00091-CV

NIURKA TELLEZ, APPELLANT

V.

SHAWN CORCORAN, APPELLEE

**On Appeal from the 368th District Court
Williamson County, Texas
Trial Court No. 20-1252-C368, Honorable Rick J. Kennon, Presiding**

June 14, 2021

MEMORANDUM OPINION

Before QUINN, C.J., and PARKER and DOSS, JJ.

Appellant, Niurka Tellez, proceeding pro se, filed a notice of appeal from the trial court's judgment without paying the requisite filing fee.¹ By letter of May 5, 2021, the clerk of this court notified Tellez that the filing fee was overdue and that unless she was excused from paying court costs under Rule of Appellate Procedure 20.1, failure to pay

¹ Because this appeal was transferred from the Third Court of Appeals, we are obligated to apply its precedent when available in the event of a conflict between the precedents of that court and this Court. See TEX. R. APP. P. 41.3.

the filing fee by May 17 would result in dismissal of the appeal. To date, Tellez has not paid the filing fee or sought leave to proceed without payment of court costs.

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 by the Texas Supreme Court when an item is presented for filing. See TEX. R. APP. P. 5, 12.1(b), 20.1. Although the filing of a notice of appeal invokes an appellate court's jurisdiction, if a party fails to follow the prescribed rules of appellate procedure, the appeal may be dismissed. See TEX. R. APP. P. 25.1(b).

Because Tellez has failed to comply with a requirement of the appellate rules and a notice from the clerk requiring action within a specified time, we dismiss the appeal. See TEX. R. APP. P. 42.3(c).

Per Curiam