



**IN THE
TENTH COURT OF APPEALS**

No. 10-14-00361-CV

LAKIESHA JACKSON SPEED,

Appellant

v.

**THE BANK OF NEW YORK TRUST
COMPANY, N.A., AS TRUSTEE,**

Appellee

**From the County Court at Law No. 2
Johnson County, Texas
Trial Court No. C201400276**

MEMORANDUM OPINION

Lakiesha Jackson Speed appealed the judgment of the County Court at Law No. 2 of Johnson County, Texas. In December of 2014, this Court was informed that Speed filed for bankruptcy. By letter dated July 7, 2015, the Clerk of this Court notified Speed that it appeared the bankruptcy proceeding was dismissed in February of 2015 and the case closed in April of 2015, and that the Court had not received any correspondence from Speed since December 2014 regarding the bankruptcy proceeding or this appeal.

In the same letter, the Clerk warned Speed that the appeal would be dismissed for want of prosecution unless Speed provided a status report of her intent to pursue her appeal to the Court within 14 days of the date of the letter. TEX. R. APP. P. 42.3(b). Speed was further warned that the failure to provide a report as requested would also result in the dismissal of the appeal without further notification for failure to comply with this order or a notice from the Clerk. TEX. R. APP. P. 42.3(c).

More than 14 days have passed and we have not received a response from Speed. Accordingly, this appeal is dismissed. *Id.* 42.3(b), (c).

Absent a specific exemption, the Clerk of the Court must collect filing fees at the time a document is presented for filing. TEX. R. APP. P. 12.1(b); Appendix to TEX. R. APP. P., Order Regarding Fees (Amended Aug. 28, 2007, eff. Sept. 1, 2007). *See also* TEX. R. APP. P. 5; 10TH TEX. APP. (WACO) LOC. R. 5; TEX. GOV'T CODE ANN. §§ 51.207(b); 51.208; § 51.941(a) (West 2013). Under these circumstances, we suspend the rule and order the Clerk to write off all unpaid filing fees in this case. TEX. R. APP. P. 2. The write-off of the fees from the accounts receivable of the Court in no way eliminates or reduces the fees owed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed July 30, 2015
[CV06]

