



**IN THE
TENTH COURT OF APPEALS**

No. 10-18-00260-CV

IN THE INTEREST OF H.N., A CHILD

**From the 87th District Court
Freestone County, Texas
Trial Court No. CV-17-210-B**

MEMORANDUM OPINION

Appellant filed a notice of appeal in this Court on July 11, 2018. By letter dated September 12, 2018, this Court notified Appellant that the appeal was subject to dismissal because there was not a final, appealable order. The trial court's order states that it is an interlocutory order of termination. This Court requested a response from the parties concerning our jurisdiction on the interlocutory appeal. We did not receive a response.

Section 109.002 of the Texas Family Code governs appeals in suits affecting the parent-child relationship. TEX. FAM. CODE ANN. § 109.002 (a) (West Supp. 2018). An appeal may be taken from a final order rendered in a suit under this title. TEX. FAM. CODE ANN. § 109.002 (b) (West Supp. 2018). Because the order in this suit affecting the parent-

child relationship is not a final order for purposes of this appeal, we dismiss this appeal for lack of jurisdiction. *In the Interest of J.D.* 304 S.W.3d 522, 527 (Tex.App. — Waco 2009, no pet.).

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); § 51.941(a) (West 2005); and § 51.208 (West Supp. 2011). 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 by appellant.

Accordingly, this appeal is dismissed.

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed October 31, 2018
[CV06]

